

The Role of Oral Tradition in Conflict Resolution (A Note from the Kei Islands, Southeast Maluku)

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Abstract: Customary Law of Larwul Ngabal still exist and become an integral part in the life of society, so that it becomes as living law, which is made in the community as the values of local wisdom of Kei community, even in reality exceed the legal role of the state in solving various both issues were legal, political, economic, social and cultural happening in the community.

Keywords: Customary law, larwul ngabal, Kei community.

I. Introduction

Indonesia is among the nation's pluralistic society. Plurality is characterized by diversity of ethnicity, religion, language, and culture (Bahar S, 1995:144)[1]. Historically, the diversity has existed since centuries ago and became very proud cultural treasures. Such diversity can certainly give hope to the people in order to grow and thrive in the bonds that relied on the traditions and culture that set out in customary law known as Larwul Ngabal that once people make it as the norms that need to be adhered to, even serve as a reference in completing disputes or conflicts in society.

Ter Haar explained that Larwul Ngabal classify customary law within a classification that covers all customary laws in Ambon and South Maluku (Seram, Banda, Aru and Tanimbar) despite the recognition that the Kei customary law is in effect between Irian and Timor Islands (B. Ter Har, 1962:5)[2]. And as we know, the customary law of Larwul Ngabal linked to a historical figure Kei, which comes from Bali. In tracing the customary of law Larwul Ngabal with historical approach fraught with difficulties, it happens because it is not inherited by the ancestors Kei in the form of inscriptions or other literature, only passed down orally and only strengthened by "residual" observance and implementation of customary law by the community Kei from time to time.

The values of local wisdom as found in other areas in Indonesia is also the desire of the community in the Kei Islands, Southeast Maluku. This can be seen in community activities in Kei Islands, various activities have been widely characterized by a system of customary law known as Larwul Ngabal, the law has also been set on customary governance starting from a combination of several Ohoi (village) led by a king and it still exist until now. As a manifestation of the strengthening of the customary law of Larwul Ngabal, in the Kei Islands there are two models of leadership meant the formal leaders that is the state government and informal that is customary governance. The Formal leader recognized by Kei community as a motivating factor in the development of various areas in the life of the nation, while informal leader is seen as a motivating factor or strengthening community for the smooth running of the various activities undertaken by the formal leaders (Nam Rumkel, 2013:16)[3].

People in the Kei Islands view that customary law of Larwul Ngabal as adhesives and unifying tool that can eliminate religious barriers between them. Alloy between conception was based on religion and loyalty to local elements, subsequently forming an attitude to life and belief system are covered in a typical community. Departing from the typical characteristics derived from the process and integration among the elements of religion with local culture, it also can distinguish people in the Kei Islands with other communities in Maluku (Nam Rumkel, 2013:16-17)[4].

Existence the customary law of Larwul Ngabal, which became a reference for people in the Kei Islands Maluku Tenggara, visible and capable of resolving the conflict, both in politics and economics, as well as the latter is social conflicts between religious communities that occurred in the Kei Islands in 1999. Conflicts that have occurred with the use of the legal formal approach often results in failure and resistance from the community. It can be seen from the efforts to resolve religious conflicts that occurred in 1999, by the local government in Kei Islands, the provincial government and central government. Efforts were made as involving forces Indonesian Armed Forces (TNI) and the Indonesian National Police (POLRI) with all the powers that be, both in terms of equipment and processes in communication, and also at the level of government formed a team of reconciliation and involve either religious leaders, government and society, but the fact deadlocked and failed to resolve the conflict.

Facts on the field shows that one of the public peace Kei community included in solving various social unrest that occurred in 1999 in the region of Southeast Maluku, Larwul Ngabal, as a cultural social capital can play a role to settle conflicts that occur with oral tradition they have, because customary law of Larwul Ngabal contains seven article, with the symbol on the Navnev Law regulates human life, Hanilit Law regulates decency/morality, Hawear Baiwirin Law regulates the rights and social justice, rather than with a state law enacted. This paper is the result of my research in the completion of the Doctoral Program at the Postgraduate of Hasanuddin University. Based on the explanation above, in order to be more focused this paper, the problems to be described is how a general overview of customary law of Larwul Ngabal? and How the values of customary law of Larwul Ngabal can be integrated with people's lives in Kei Islands, Southeast Maluku?

II. Research Methods

II.1. Type of Research

Based on the formulation of the problem and the objectives to be achieved in this research, the type of research is a normative legal research (Soerjono Soekanto and Sri Mamudji, 2011:14)[5], namely by reviewing the rules of law and legal materials related to the issues to be discussed, with using a conceptual approach (Peter Mahmud Marzuki, 2010:96)[6].

II.2. Type of Legal Material

Legal materiel type that used in this research are primary and secondary legal material (Salim HS and Erlies Septiana Nurbani, 2013:16)[7] relating to customary law.

II.3. Data Analysis

In accordance with the problems to be answered and the objectives to be achieved in this research, the data collected both primary and secondary legal material were analyzed qualitatively (Matthew B. Miles and A Michael Huberman, 2009:15)[8], hereinafter described (Soerjono Soekanto, 2012:9)[9] to address problems in this study.

III. Results And Discussion

III.1. Customary law of Larwul Ngabal

Customary law of Larwul Ngabal at first was a two different legal regimes, namely customary Law of Larwul and customary law of Ngabal. But along with its development, both legal regime was then experiencing the union, so-called customary law of Larwul Ngabal. There is an adage, a habit which is owned by Hilaay (stakeholder custom), which is the habit of visiting each other among themselves. A cultural practice that is intended to exchange ideas, experiences about how to create peace, and concord amongst that human beings know their rights and obligations, powers, duties and its role in behavior with fellow human beings, fellow society and in the context of the wider. To create conditions of life it is necessary a rule of customary law as a guideline to be adhered to.

Custom to exchange visits between Hilaay This happens almost every day throughout the Kei Islands. As is the case with Hilaay in Elaar i.e. Fuutrub Renoat with Hilaay Arnuhu in Danar, once housed somewhere at the end of the Danar-Sare village, Hilaay both met and while drinking Tuak-Arak, suddenly there is an initiative of Arnuhu Danar to offer an activity to colleagues Fuutrub Renoat, ie whether we can create an activity that involves a lot of people? I mean ask Fuutrub Renoat, Answer Arnuhu is our intention to discuss or regulate the life of mankind is to have one as a rule of customary law that regulates the life of mankind as a good and thorough, Fuutrub questions, the show is made as to what, when, where, anyone who is invited and what is the sign? Answer Arnuhu is, yes, if so then we prepare activities well.

To realize the desire of both Hilaay between Fuutrub with Arnuhu, has provided a buffalo, brought by Ditsakmas descent of Tebtut from Letvuan. Then the next Hilaay (stakeholder custom) Fuutrub draw up action plans to invite Hilaay is around, especially Hilaay of Utan Lor Lim to Seram-Goram, Dob-Yar (Dobo), buffalo delivered to mid Danar-Elaar. Once on a given day, then gathered the Hilaay, among others (A. Difinubun et.al., 2008:10)[10]:

1. *Fuutrub Renoot*, Hilaay from Elaar
2. *Lalai Wohor*, Hilaay from Ngursoin
3. *Sobnaik Remlau Siran*, Hilaay from Mastur
4. *Falin Hoiwutun*, Hilaay from Lumefar
5. *Arnuhu*, Hilaay from Danar
6. *Bardik Ngabalin*, Hilaay from Ohoiseb
7. *Lasar Teniut*, Hilaay from Ohoidertutu
8. Coupled with the Hilaay Utan Lor Lim.

They present somewhere hereinafter called Amalor Siran Siryen, precisely in the Elaar Lamagorang

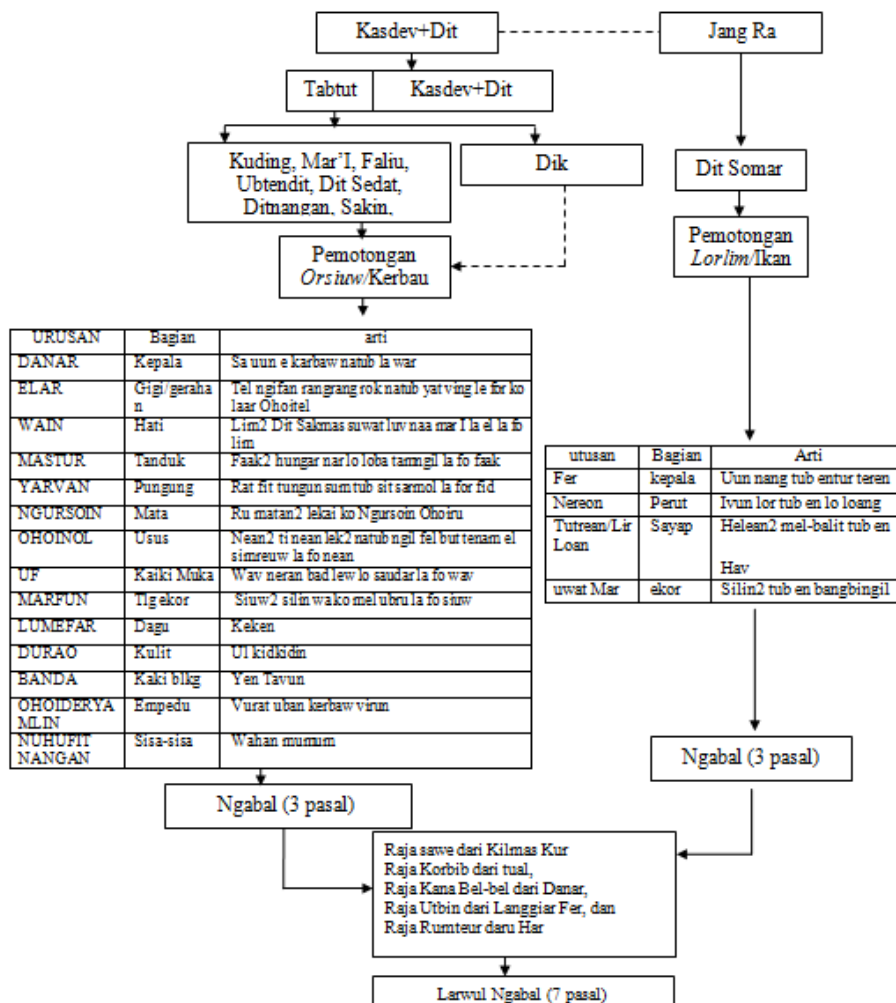
and Elaar Ngunsoin village. Hilaay gathered after the trial started, as a sign (Tom) of the customary session, then slaughtered buffalo conducted by La Hol Ohoiren (Lalay Wohor) from Ohoiren Ngunsoin using Siruk Fuarter/Siruk Kifarot, buffalo hereinafter referred *Siuw* after being slaughtered and distributed to the Hilaay (stakeholder custom) are present or not. After the ceremony buffalo *Siuw* was finished Fuutrub Renoat Hilaay from Elaar announces enforced customary law of Larwul Ngabal. The events that occurred in Amalor Siran Siryen an edict (Establishment / Endorsement) for customary law of Larwul and customary law of Ngabal become a customary law are complete, intact and can be applied to the public either in Ur Siuw and Lor Lim, hereinafter referred to customary law of Larwul Ngabal (Bupati Maluku Tenggara, 2011:9)[11].

The unification of the law because it has a relationship with each other even frequent battles (*fuun*) between the two groups of Orsiuw and Lor Lim. The fighting occurred because each group wants to expand its territory, as it also continue to defend society each group according to the agreement that has been professed together. Seeing the condition that arises unification efforts by the five kings (Matdoaan Mahmud, 2001:16)[12] :

1. Sawe King from Kilmas Kur
2. Korbib King from Tual
3. Kanar Bel-Bel King from Danar
4. Ubtim King from Langgiar Fer, and
5. Rumteur King from Har.

The unification (Larwul and Ngabal), which covers the Kei Islands (Kei Kecil and Kei Besar), make unity customary law of Larwul Ngabal embraced by all indigenous peoples in Kei. To clarify the brief history of the formation to customary law of Larwul Ngabal can be seen in the picture below :

The Formation of Customary Law of Larwul Ngabal



III.2. The Values of Customary Law of Larwul Ngabal Integrated With Kei Islands Community, Southeast Maluku.

The long journey of historical actors (ancestors) in the delivery of customary law of Larwul Ngabal, from both communities, each community partnership "Larwul" incorporated in the "Ur Siw" as "Siw Ifaak" and community fellowship "Ngabal" incorporated in the "Lor Lim" as "Lim Itel", has been etched in the history of the community in the Kei Islands. The struggle ended with an agreement to enforce customary law respectively by combining both traditional law respectively Ur Siw as customary law of Larwul and Lor Lim as customary law of Ngabal into a single entity customary law code of conduct governing all public life Kei then called "Customary Law of Larwul Ngabal". Enforcement of such customary law is proof that civilization has advanced Kei.

Customary Law of Larwul Ngabal evident already internalized in the rules governing public life in Kei Islands, this can be proved by customary law of Larwul Ngabal for the people is the supreme law Kei containing command/suggestion/invitation to the public to comply, uphold and maintain the noble values in a set of life, arrange moral rights and justice either express or implied, as in customary law are basic values in use as a reference that binds the whole community of the Kei Islands from generation to generation.

Basic values set out in the customary law of Larwul Ngabal consists of seven articles, there are also seven articles to the prohibitions should not be done as well as the appropriate level, the offense called "*Sasa Sorfit* (seven layers/levels) error/prohibition either in law of *Hanilit, Hawear Balwarin*" (J.P. Rahail, 2008:13)[13].

Nevnev law which regulates human life and consists of four articles, namely article 1, 2, 3, 4 (A. Difinubun et.al., 2008:14)[14]. Article 1 *Uud Entauk Na Atvunad*. Meaning: We head rests on our shoulders. This article literally means, we head rests or united at the nape of the neck/shoulder us. For the Kei considers that the "head" as an important part of the body. The head is the organ that is most high, it should pay attention to him, thinking, seeing, maintain and protect the safety of other members of the human body. At the head are the eyes and ears, brain, nose, mouth and tongue, all of which serves to animate the entire human body. In view of this, the head seemed as if it must be recognized power to protect the whole human body. By him that the head can be interpreted as having the meaning as :

- a. *Uud* (head) symbolizes a leader or ruler in this case the Creator (God), regulators (human) at the level of the procurement.
- b. *Uud* (head) in humans are part of the body that is located highest among the other organs in the human body, and the head there most of the important organs such as the eyes, ears, mouth, nose and brain, all of which have important functions like the function and role of a leaders who have the perfection to lead.
- c. *Uud* (head) lies on the shoulders means :
 - 1) To the Creator (God-*Duad Karatat*) the man is obliged to worship, carry out all his commands and stay away from all his ban.
 - 2) To the ruler/head/chairman (*Laai Kwas Adat/Kubni/Agam*) then as a society have to follow orders.
 - 3) To the Parents (*Duad Kabav*) the children are required to respect and obey the command/advocacy.
- d. *Uud* (head) was hit by shoulder means as a leader means to be capable of protecting/nurturing the body which carries (shoulder communities).
- e. *Uud* (head) together with the shoulder means as a leader must always fused with society, to feel the ups and downs and cohesive society in every motion and the dynamics of community life.
- f. *Atvunad* (shoulder) is located under the head and shoulder head means as public/child always aware of ourselves as an integral part of the leadership that can provide support and ready to accept orders with respect to the progress and the common good.

Based on the significance of the head of the above then this article is given three terms, namely (A. Difinubun et.al., 2008:15)[15] :

- a. First of all in this article emphasis on human relationships with the gods. Therefore man as a servant created by God, the belief that God Almighty is the source of all sources of human life. Based on these conditions, there is an oral tradition that states that this first article obliges the Kei's devoted to God Almighty, and always carry out the entire command and leave the ban, then the man should be subject to the *Duad* as supreme ruler, giver of all grace and Judge almighty and *Duad*, God, is the "head" of human life and the universe and spirits as well as humans. The obligation to submit to the pious and the creator of the universe of God, which is the core of Islamic teachings that monotheism is the joints of the principal religious person in Islam. In the sense that there is no faith and Islam in a person if devotion and submission to the Creator was denied. Therefore, devotion and submission is placed on the first chapter in order to animate the entire

subsequent chapters, because the first chapter of this highly correlated with the first principle in customary law of Larwul Ngabal is *Taflor Nit it Sob Duad* which means that each will be starting a job, society Kei Islands should pray that those who have died got a decent hand of God, and also requested that the work performed the blessing of the Lord and obtain good results.

- b. This article requires a legitimate and official recognition of the power of the leaders of the people (the king, the village chief, the head of the fam, and the head of customs). leader of the people (*rat, worma, riin-raham*) should be respected because he is the "head" which united with the community as the body, it serves as protect and oversee the community and cared for his subordinates. He worked closely with the people for the common good. Functions such leaders still expressed in some of the proverb Kei languages such *Uun matan* which is interpreted by the head and eyes are leaders in the community is a carrier of voice of the people and subordinates, their head and eyes of society, *Uun Enlai, Welan nanorang*, creeping head, tail followed it is understood that the behavior of the boss is always followed by subordinates. *Uun enlek*-head fell because convinced of his guilt and shame, the subject's head, the head as if it had to bear the guilt (shame) for the sake of the whole body. It is required to respect him as a leader, especially traditional and religious leaders is a necessity for the community in the Kei Islands, Southeast Maluku, as in accordance with the philosophy *U'wel-Wel Ni Ai Rang-Rang, Uun In So Ni Welen In Lai, Belan In So Ni Yaat In Wel*, it means in front of the leaders and the people to follow and as a leader he should have the properties of fairness, honest, trustworthy, polite and able to protect its people.
- c. This article also requires a certain appreciation for the rights and dignity of the elderly in the family because the parents are the "head" that govern, protect, and preserve the life of the whole family. Old man's privilege, especially in the case of child marriage arrangement. Because the parents are called *Duad Kebav* which must be respected and obeyed. Dignity parents should not be debased, because the view that parents are the representatives of God on earth that are present real. Because the parents become an obligation for children to have to show obedience and respect. Dignity and rights of parents must always be maintained, according to the proverb *Teen foo taan, yangyanat fo yangyanat*, parents still have the status as a parent, and the children remain as children. Honor both parents, is a form of belief that as children, we are born, nurtured and raised by both parents, disobedience to parents is licentious acts and damned. Even taught to respect the teacher as an attitude that is commendable and therefore needs to be cultivated as a form of greeting accepted the love for the services and sacrifices of a teacher in educating and science.

These three definitions emphasize the "head" then in customary law of Larwul Ngabal obliges people to devoted to God Almighty. Man must bow to Duad (creator) as the supreme ruler of the universe. In the aforementioned article very clearly shows the strong influence that comes from Islamic law as the foundation laid early in initiating the whole chapter in customary law of Larwul Ngabal.

Article 2. *Lelad Ain Fo Mahiling*. Meaning: the neck is noble it must be respected, upheld, noble, precious and should be protected/preserved. That is: *Lelad* (neck) is part of the body that is important and strategically so that when disturbed / harmed the people do not feel safe in her life, and if the neck was broken then people will die. According to the Kei, *Lelad* (Yong Ohoitimur, 2009:67)[16] the precious and must be preserved/protected, for the people Kei usually sacrifice their possessions for the life or safety (*Lei Wai*). In short that do not hurt each other let alone kill because life is truly noble.

This article hinted about the meaning of truth must be established, maintained, respected, and protected. Truth is meant is the law itself. Law means all the rules and prohibitions in customary law of Larwul Ngabal that, since the purpose of the common law, including customary law of Larwul Ngabal wool is upholding the truth and establish harmony in life. This article is generally understood in two meanings, namely (a) Life is a sublime and holy, because it must be respected. This article very clearly appreciate the humanity. (b) The neck is also used as a symbol of truth that must be upheld. And the truth is none other than the customary law itself.

The spirit is in line with the expression, according to Muin Salim (1991:67)[17], that the goal is to reverse the law of man to nature. Therefore, breaking the established rules and make life not in harmony means to fight and deny the truth of the law itself, but given to reverse the law of human nature. Due to the presence of laws intended to regulate the whole of human life to keep it out of the nature of humanity. In a simple implication is that obey the rules and regulations that have been established will get a guarantee of happiness.

that life is sublime, sacred existence, because it is the life of a human being should not be contested, on the contrary must be respected. This article explicitly assign about humanity. Right to life of another person shall be recognized and respected. It also reminds people about the truth. The right attitude toward truth is upheld. It means the truth must be preserved, respected and protected. For the Kei, the truth is that the law itself then in a broad sense, all rules and restrictions in indigenous aims to uphold the truth should not be violated

because it means acting against the truth, it is precisely because of the regulations and restrictions that govern all human life. In other words, the order is considered as the source of human life is worth.

Life and the freedom to choose the shape of a person's life is a human right that must be respected and given protection by everyone. Is the right of every human life to be lived but it must be in accordance with customary law or the norms that have been established. By him that are required to prevent the killing, and better regulate the relationship between human beings.

Article 3. *Uil Nit Enwil Rumud*. Meaning: The skin of our body wraps ground. The skin is a protective body/flesh in order to maintain and are not tainted by disease or other disorders. Meaning : *Uil nit* (skin) with the real meaning is part of the human body armor. While the philosophy of the Kei on *Uil nit* is (A. Difinubun et.al., 2008:17)[18] :

- 1) As a blanket cover/wrap disgrace someone from the mistake so as not contaminated good name, because reputations should be kept/maintained and should not be tainted by slander.
- 2) To redeem the mistakes of the form of property or other valuable items to be free from interference/slander.

In view of the Kei, skin contained in customary law of Larvul Ngabal described as a full body wrap. Integrity of the human body is highly dependent on the integrity of the skin surface. Flesh and human bones stored are hidden under the skin. The skin is also able to conceal various types of diseases that exist in the human body. This article is given two meanings. First, the good name of others should be maintained. Because it was a good name and honor of one's dignity should be respected and high Honored, then the mistakes others should not be described or heralded. Telling the shortcomings of others is tantamount to damage or injure the skin so that the disease getting worse. This article also prohibits slander. Secondly, mistakes to others must be recovered or covered back. Recovery is usually done by paying a fine custom. Repayment penalties like restoring the surface of the skin that has been damaged by slander. By him that attempts to maintain, seek justice and truth against the self-respect is the right of every person's life and should not be interfered with by others.

The assertion was hinted about the need to preserve the good name of a person, mistakes human beings should not be disclosed. Good and evil person is like a flesh and bone should be wrapped with leather. Telling someone ugliness implies undermines the integrity of his life among men. The purport is interpreted as a prohibition to slander other people who are also meant to protect the people and the law recognizes the right of life. Life of the Prophet Muhammad, many cited the behavior of not mutually open disgrace, and even make promises to those who hide a secret someone.

Article 4. *Lar Nakmot Na Rumud*. Meaning: The blood covered the body (Yong Ohoitumur, 2009:68)[19]. Literally meaning: Blood stay calm in our stomach. *Lar* mean blood, *Rumud* means our stomach. Said *Nakmot* literally means confined to stay calm, but generally translated as collected. By him that the human body should not be harmed until the blood flow. The shedding of blood could mean the killing of humans. For that not to act arbitrarily against others, causing injury or bloodshed let alone a murder.

The word "*Nakmot*" actually means confined to live in peace. In the view of the Kei, the stomach is the storage of human blood. This view should be connected to the stomach as the source of new life, because the stomach (womb) is the depository of man before birth. A woman who is pregnant is usually said to be "*Rumud*" (Body). This article also interpreted (a) The human body should not be harmed until the blood flow. That means, prohibited persecution and atrocities shed human blood. (b) The shedding of blood could mean the killing of humans. Therefore, the most emphatic sense of the present article is to "do not kill".

Article is interpreted that the human body should not be destroyed or harmed, let alone to the bloodshed, because in the eyes of Kei that bloodshed meant the killing of humans either intentionally or unintentionally, because it includes an affront to human life. Protect humanity from the killing, humiliation, betrayal performed arbitrarily resulting bloodshed between fellow human beings, both individually and in groups. Guaranteeing the human race to choose his way of life, how to gather, how to behave, the way of democracy in accordance with the choice of conscience (the principle of freedom and democracy). Either in articles 2, 3 and 4 of the Nevnev law This is highly correlated with the second principle of Larwul Ngabal law which reads : *At Foing Fo Kut at Foa Fo Banglu*, which means in people's lives Kei islands united in a bond of unity and strong. This means to respect the meaning of life and life because everyone feels brothers then in prohibition to kill and slander, open disgrace people.

The fourth article is incorporated in the Nevnev law patterned symbolic in human organs used in an integrated manner within the Nevnev law to symbolize aspects of human social life. It was quite interesting because body parts are chosen according to their biological function to be expressed into a collective unity that can not be separated, as has the relationship between one another.

Aside from the four articles that provide guidance in life, it also contains provisions that should be imposed on those who violate the article 1 to article 4 in customary law of Larwul Ngabal. Penalties can be given for the purpose in order to abolish the deeds that have been violated. Prohibitions that should not be done

in accordance with the degree of the offense called "*Sa Sa* atau *Sa Sorfit* (seven layers/levels) ban on Nevnev law as follows (A. Difiunbun et.al., 2008:20)[20] :

- 1) *Muur nai, subantai* : Vilify, slander, swearing.
- 2) *Hebang haung* or *Haung hebang* : Intend/plan evil.
- 3) *Rasung smu, rudang daid* : Harm with black magic, witchcraft, etc.
- 4) *Kev bangil* or *Ov bangil* : Hitting, punching.
- 5) *Tev hai- sung tawai* : Throw, stabbed with a sharp object.
- 6) *Fedan na tetwanga* : Kill, cut, beheaded.
- 7) *Tivak, luduk fo vavain* : Buried and drowned alive.

If noted, the error rate of the seventh article of the above, we can provide interpretation by the approach of Article 4, both of Articles 1,2,3 and 4 in Nevnev law on Larwul Ngabal law, it can be said as follows :

- 1) Article 1 of *Sa Sa* or *Sa Sor Fit* Nevnev law is a concrete form of article 3 common law Larwul Ngabal is not slander. This Article prohibits to speak ill of others and prohibits curse for others.
- 2) Article 2 of *Sa Sa* or *Sa Sor Fit* Nevnev law including concrete forms of Article 3 common law Larwul Ngabal this Article prohibits an inner act as the will to harm others.
- 3) Article 3 of *Sa Sa* or *Sa Sor Fit* Nevnev law is a concrete form of Article 2 of this article Larwul Ngabal law does not allow any action that made the other person. But far from it, this article mentions a way that is forbidden to harm others.
- 4) Article 4 of *Sa Sa* or *Sa Sor Fit* Nevnev law is a concrete form of Article 2 customary law of Larwul Ngabal. Hit it includes acts that troublesome neighbor. The difference with Article 3 of the above is that Article 4 of this emphasizes the real action (hit) while Article 3 further emphasize covert actions where the act does not seem that people are troubled.
- 5) Article 5 of *Sa Sa* or *Sa Sor Fit* Nevnev law is a concrete form of Article 4 of the customary law Larwul Ngabal that actions like throwing and stabbing with a sharp object against fellow human beings, the acts of persecution that could shed blood. Acts like it is not justified to humans.
- 6) Article 6 of *Sa Sa* or *Sa Sor Fit* Nevnev law a concrete form of Articles 1 and 4 of customary law of Larwul Ngabal that killing is directly related to Article 4 but at about decapitate more to do with Article 1 who spoke about the "head" killing was meant to shed blood; but another way to kill and decapitate the head is cut off, the latter is meant to separate the head from the nape.
- 7) Article 7 of *Sa Sa* or *Sa Sor Fit* Nevnev law is a concrete form of Article 2 Larwul Ngabal customary law. Apparently part of the last error is the most severe. Namely bury and submerge people alive.

Especially article 6 and 7 *Sa Sa* or *Sa Sor Fit* this Nevnev law, states are also several ways to kill a human. It is added to the above description of "the murder", led us to conclude that seemed at the time in the lives of people, there are several ways Kei killing of humans that has been known and practiced well. Precisely because of this recognition, the law should forbid.

Hanilit law that regulates decency / morality and consists of 2 (two) articles, namely article 5 and 6 (A. Difiunbun et.al., 2008:14)[21]. Article 5, *Rek Fo Kelmuntun*, means *rek* (limiting) the precious / noble. The point: All forms a barrier (wall, bulkhead) according to the Kei is noble / noble, for it to be preserved and honored. In a house there are spaces that are called *katlean* (front room), *hadaan* (living room) and *riin* (room) the limit between these spaces is "*rek*", especially the bedroom household, the girl child's bedroom. Symbolically this article gives the boundaries association with women, in other words manners in the association between men and women should be no limits.

Article 5 is usually in twos; (1) other people's rooms, especially bedrooms bounded by *rek*, must be respected and should not be accessible by others who are not eligible. (2) symbolically, this article reminds restrictions association with women. This means that in daily life there is always a limit in contact with women. So this article emphasizes the manners and the rules of association between men with women. By him the room that had been occupied by a woman, especially for the unmarried, not justifiable for a man to enter or occupy. It was intended to maintain the honor and sanctity of the girl. Because *rek* are *kilmuntun* or respect and glory given to women Kei, so that in any custom forbids a woman to leave the house *rin rahan*, while a man is required to maintain and oversee the outdoors *tet latubur* mentioned. It was intended as a form of prohibition of promiscuity between women and men, even more than as a regulator of manners in daily life system.

Manners in daily life will require someone to be able to practice in their lives, and it can be seen in the mating process. Even in this article let advocate marriage in place to keep it pure holy, because with the marriage can foster and protect the life and honor of one's home and family, as well as ensuring its integrity in order to avoid disputes. Thus, the rights and obligations of a person to be protected in terms of building and set up housekeeping very guaranteed in this Article.

Article 6, *Moryain Fo Maniling*, means: Beds people married and ladies' noble. The point: Beds people who are married and celibate women according to the Kei is a glorious place/grand so it is not permissible for other men to enter in it or use it.

- 1) *Moryain* symbolizes the sacred marital status which has occurred as a bond physically and spiritually, for the marriage to be honored/glorified and should not be tainted.
- 2) *Moryain* also symbolizes the dignity and nobility of women in the eyes of Kei so that women upheld/respected/protected esteemed both married and unmarried.

The word "*Moryain*" bed means people who are already married. In contrast to Article 5, which emphasizes the word "*rek*" or boundaries. Article 6 of this put pressure on the "*moryaan*" or bedroom is in a *riin* bounded by *rek*. This article also contains three important meanings; (a) bed, especially those who are married, must be respected as something personal, purified and exalted. A man is not allowed to enter and sleeping in bed woman who is not his wife. (b) *Moryain* symbolizing marriage. In that sense, every marriage should be upheld and must not be tainted. (c) *Moryain* also symbolizes women, then as mentioned in article 5 above, the dignity and nobility of women also upheld.

A woman, whether married or unmarried, should not be abused or treated rudely, but they must be protected with honor. See different emphasis both on Article 5 and 6 in the *Hanlilit* law, it clearly appears that the importance of maintaining decency and honor both socially and in the institution of marriage. It means that the issue of marriage decency placed in order of maintenance of collective life, to educate mankind to be able to respect the glory in the menage.

In customary law of Larwul Ngabal, The highest value to be achieved is the life of an orderly and organized collectively. To achieve the ideals of the law has outlined the ways to be followed in the field of ethics. That means that the obligations of women and the institution of marriage is a means towards collective order. The second is associated with the article correlates with the fourth principle in Larwul Ngabal law which stipulates that : *Let Antub Ne Dud An Dir*, which means that the marriage is something noble and sacred therefore the selection of a mate should be in accordance with the provisions and rules that have been established by custom and religion. It also confirms that the core teachings of the noble and sacred marriage in Islam (Interview with Hasan Rahanyamtel)[22].

Another thing is also seen in this *Hanlilit* law namely that there is a causal relationship between the two articles. In Article 5 may be seen as a preventive measure against Article 6, which emphasizes that a man crossed the line (*rek*) available, could lead to the desecration of a woman sleeping in it. The linkage of these two chapters could have implications on the intricacies of marriage are governed by custom Kei which is much emphasis on the background in view of decency. In the process of mating. By him that a woman released from a sublime, it must follow the path that is noble and it is with reverence paid high.

Based on this view, it is a process in marriage still seen as an ideal of collectivity is behind respect for women as outlined in Articles 5 and 6 in customary law of Larwul Ngabal. Hence the tendency to say that the high valuation against women and the dignity of marriage, is not primarily based on the dignity of women and marriage itself, but mainly a means manifestation of unity *keluargaan* humanity as a big family, because coexistence, mutual love, mutual affection is an important element in fostering households and family (Interview with Ahmad Kabalmay)[23].

Apart from the two chapters contained in the *Hanlilit* law which contains provisions that must be imposed on those who violate as defined in Articles 5 and 6 in customary law of Larwul Ngabal, punishment given to those who violate such, intended to clean up, restore and uphold the honor and glory back people who are victims of acts prohibited by the perpetrator, the level of the offenses referred to "*Sa Sa* or *Sa Sorfit* (seven layers/levels) error/prohibition as follows (A. Difinubun et.al., 2008:21)[24] :

- 1) *Sis Aif, Sivar Usbuuk* : Calling with waving, hissing or whistling.
- 2) *Kufuk Matko* : Ogle.
- 3) *Kis Kafir, Temar Umur* : Whisk by pinching or nudge the bow of the face and the back.
- 4) *En a Lebak, En Humak Voan* : Touching, hugging and kissing.
- 5) *Enwail, Sig Baraung Enkom Lawur* : Open the cover and ruin.
- 6) *Enwel Ev Yan* : Unwed pregnancy.
- 7) *Ftu Fweer* : Carry off or elope.

Aside from the seven provisions, there are also three types of *Sa Sa* or *Sa Sorfit* included in the *Hanlilit* law. But in the process of completion put into *Nevnev* law, because of the severity of the punishment threatened. The third mistake or prohibition are :

1. *Rehe Wat Tee* : Rob another man's wife.
2. *Itwail Ngutun Enan, Itlawur Umat Hoan* : Opening out the cover at the top and bottom, damaging another man's wife.
3. *Dos Sa Te'en Yanat Te Urwair Tunan* : Crime sibling incestuous intercourse.

Article 1, 2, 3 and 4 *Sa Sa* or *Sa Sor fit* Hanilit law a concrete form of Article 5 of customary law of Larwul Ngabal : *Rek Fo Mahiling*. All chapters that talk about the values of manners in the association between values, manners in relationships between men and women. In the view of the kei, cues calls using hand waving in article 1 above or with a hiss, is a cue for no good deeds. Cues that are usually made by "secretly" so that other people do not know the call sign. And because it is not considered polite in common life, is not open, so is prohibited. Even on the "play" was seen as a gesture of party dati man against a woman, or vice versa; a gesture as an expression of unity untguk solicitation or hanging out as husband and wife. Because of the possibility this purpose, then flirted banned.

Kis Kafir, Tamar Umur, also got the same interpretation to Article 1 and 2 above. In the life of Kei first, action *Kis Kafir* which is usually done by hand, often replaced with a touch of bow archer tool that generally below by farmers time to garden. For example a man who was carrying a bow hand, met with a woman; the man then touched her with his bow when the woman was in front of him; it can also be done when a woman's touch already behind. Such acts are considered to be the same as giving a sign of willingness to associate intimately. Therefore, Article 3 forbids.

While at *En a Lebak, En Humak Voan*, a concretization of action cues in Article 1, 2, and 3 are. The specialty of this article is expressly indicate that the limit has been bypassed manners. Two men and a woman can only hug each other, if among them there are no boundaries. But because embrace not mean intercourse, just like stepping rek not mean disfiguring the bed a woman in it, it tends to refer to this as the fourth chapter of concretization of Article 5 of customary law of Larwul Ngabal, is *Rek Fo Mahiling*.

Article 5, 6 and 7 of *Sa Sa* or *Sa Sor Fit* Hanilit law a concretization of Article 6 of customary law of Larwul Ngabal, is *Moryain fo Kelmutun*. "*Val Ngutun Tenan, Ne Siran Baraun*" is a figurative expression for the term promiscuity. The signs referred to in Article 1 to 4 above, is considered the "invitation" for intercourse. And because the life that everything is given a negative assessment. *Marvuan fo Ivun* is a term to describe a pregnancy outside of marriage (traditional). Pregnancy as it always qualify negatively. Kei people really know the type of road to the marriage, namely :

1. *Lenan Reet Fid, Hab Sol Vel Taan* : Woo women by bringing treasures mating needed (roads respected).
2. *Manuu* : Marry a wife, a young runaway girls.
3. *Marvuan Fo Ivun* : inseminate women.

People Kei found a third way through this one marriage could take place. But wherever possible marriage only achieved through the first path. Therefore *marvuan fo ivun* dilarang. And judged to be good. Use it also implied meaning *Manuu, Marai* is a term specifically used to indicate a case in which a man get another man's wife. This is the most serious errors in *Sa Sa* or *Sa Sorfit* of Hanilit law. Processes such marriages were strictly prohibited under customary law of Larwul Ngabal.

Hawear Baiwarin law regulates the rights and social justice which consists of one article, namely Article 7 (A. Difinubun et.al., 2008:15)[25]. Article 7, *Hira ni fo ini, it did fo it did*, meaning remains the property of theirs, ours remains ours. This article means that the property of a person should not be disturbed and betrayed. Do not be greedy for something that is not proprietary, causing cheating, injustice toward others. This article emphasizes the protection of property rights person, appreciate and respect the property rights of others, keep and maintain the property rights of people, groups, *rahan yam, Ohoi nuhu*, and *utan lor*, and should not interfere, robbing and attempting to take over the property of others.

In terms of meaning contained as mentioned above, when compared with other provisions in customary law of Larwul Ngabal, which contains a symbolic meaning, the meaning of Article 7 is the only one that does not contain a symbolic meaning. Thus, the literal translation in this article show the meaning and intent of the article itself. The above article explicitly requires the recognition of property rights, both private property and property rights of others, as it also states the right of everyone to own property, and ownership of the rights that will be protected by *Hawear Belwarin* law.

The division of property unfair or unequal rather like *Ham Sar Lakes*. Property rights referred to in the article is not only the wealth in the family that owned the house, but including also all the common property both at sea and on land. Recognition of property rights is important as a precautionary measure to protect the relationship between fellow members of the community in order to maintain harmony. Thus, the fact on article 7 in this customary law of Larwul Ngabal, clearly outlining the type of social relationships that must be interpreted by the recognition of the rights of others to have an item in the language of Pancasila translated "social justice for all citizens". Recognition is important as a preventive measure to protect the remains harmonious relationship between community members.

In article 7 *Hawear Balwarin* law, the emphasis on a person's property and possession of a person, then there are also restrictions that should not be done and if one violates the penalties. This punishment was given to restore their ownership rights that have been seized or destroyed by the perpetrators who commit the forbidden

act. Level of infraction called "*Sa Sa* or *Sa Sorfit* (seven layers/levels) error/ban on *Hawear Balwarin* law in Article 7 as follows :

1. *Faryatad Sa* : Want the goods of others illegally.
2. *Etkulik Fanaub* atau *fatuba Fa Borbor* : Storing stolen goods.
3. *It Bor* = Steal.
4. *Tefen It Na Il Umat Ini Afa It Liik Ke Teitfanuub* : Do not want to return the goods of others who found or stored intentionally or unintentionally.
5. *Taan Gogom* atau *Taan Rorom/Rasum/Ratsun* : It does not work, only eat a way to steal only.
6. *It Lawur Kom I Ra I Ni Afa* : *umat rir afa* = Damaging, destroying the property of others.
7. *Et Na Ded Vut Raut Fo En Fasus Te Enfakuis Umat Liar* : Take or do anything with the various ways to vex others.

On Article 1 shall, as a concrete form in the implementation of the articles that followed, because people want the goods of others, he "stole" but that in Article 2, "deviant swag" Article 3, "the wages without work", Article 4, "picked up the property of others, but do not want to return," Article 5 "damage the goods of others".

Especially with regard to Article 3, does not distinguish between the "loot committed by the depositor himself," and "loot committed by others". Thus, if the A store stolen goods stolen by the B, then the work of the A fixed blamed by customary law as well. The special thing notable about Article 4, is that this article mentions the human mental: lazy, easy search, and view that laziness can lead people to seek their own profit is not kosher. Therefore, laziness must be smashed: new people have to work to eat. It would be seen as well in relation to one of the basic attitude of the Kei, namely in demanding to always work hard and do not allow easy searching attitude alone.

Article 5 emphasizes about honesty. Customary law requires an honest attitude towards the property of others. Goods of others scattered and found, to be returned in any manner whatsoever to the owner. That the question of "do not know the owner" is not at issue in this article, should be talking in the context of shared life and relationships contained in the life of the village. So people know each other and know each other closely, so there is no problem or difficulty in trying to find the owner of the goods collected. Tampering/destroy the property of others on Article 6, is also harming fellow others. This article recommends a positive attitude towards the property of others: acknowledge property rights of others over certain objects. Finally, Article 7 gives the pressure in the matter of social justice. which must be fair to the rights of others. What are the rights of the A, must be respected as a right: the A fixed wages to be paid appropriately.

When examined all the contents of *Sa Sa* or *Sa Sor Fit* in *Hawear Balwarin* law so in Article 4 and Article 7, speaks of "wages". This may indicate that as if people Kei 15th and the 16th century, when formulated customary law of Larwul Ngabal, already familiar with the work system in the economic field with the wages or salary. While in traditional societies there are only Kei working system of mutual cooperation (*maren*) people who come to work unpaid in the sense now, but only secured food and drink during the working day. In the life of traditional Kei also known as "the system of slavery". People who lost the battle or great culpability and then penetrated with the affluent, can be used as a slave. However, this system takes place without remuneration, which certainly was unknown in modern economic development.

In addition to having seven articles and seven layers/levels of error or prohibition (*Sa Sa* or *Sa Sorfit*), The above as the substance of customary law of Larwul Ngabal for people in the Kei Islands also has five life principles that hold true in life. The fifth life principle is (Tamrin Amal Tamagola, 2007:120)[26] :

- a. *Taftlor Nit it Sod Duad*, which means that each will be starting a job, people must pray that the deceased got a decent place on the side of God, pleading for work performed the blessing of the Lord in order to obtain good results.
- b. *At Foing Fo Kut at Fao Fo Banglu*, which means that in life and the life of the community in the Kei Islands united in a bond of unity and strong.
- c. *Harta I Bulihir Ni Minan I Umat*, which means that wealth is a mere jewels and not immortal, whereas humans (brotherhood) is sacred and precious and must be upheld.
- d. *Let Antub Ne Dud An Dir*, which means that the marriage is something noble and sacred therefore the selection of a mate should be in accordance with the provisions and rules that have been established by custom.
- e. *Mas Tom Ronmam Mel Yanan Ron Mat, Vo Nan Vel Wahan Soin Foflat Bo Uran* which means that in maintaining rights and truth, to defend and protect the dignity of women, people could Kei Islands sacrificing lives and give up his possessions.

In addition to the articles of customary law of Larwul Ngabal containing command/suggestion/invitation to the community Kei to obey, uphold and maintain the sacred values in a set of life, arrange moral rights and justice either express or implied, and there are also restrictions that should not be done as well as the appropriate level of offense that referred to "*Sasa Sorfit* (seven layers / levels) error / ban

either on *Nevnev, Hanilit, Hawear Balwarin* law There are also imposed sanctions for those who violate these provisions.

For the community in the Kei Islands, Southeast Maluku, had awakened a commitment that traditional values are good and it has become a tradition in the community, so it is always associated with maintaining and maintain customs in the society called social control, in addition to the traditional destination, also known as modern legal purposes, namely as a means of renewal of society, as social engineering. Because local knowledge is always associated with concrete symbols, and the symbols are least able to explain the meaning, value and purpose of such wisdom.

Customary law of Larwul Ngabal incarnate as the law of the psyche (*volkgeist*), that the law is not made, but grow and develop together with the society, which recognizes the plurality and have a historical review and comparative study of customary law so that in using a number of different categories, but interrelated. The categories range from the structure of norms or rules, legal proceedings and legal culture. In terms of the structure of norms, the law can be interpreted with the conception of behavior as normative regulatory compliance products is standard, but he became legal in the society (living law) as stated in the dictum of customary law of Larwul Ngabal. In terms of the legal concept can be interpreted as a social control order can be maintained effectively, and while in terms of awareness of the law can be interpreted as public awareness. The approach of the indigenous community in the Kei Islands in the form of customary rules that gave birth to traditional institutions will be guidance for the community to be obeyed and respected. So that any conflict that arises, can be solved by using this customary law of Larwul Ngabal.

IV. Conclusion

The conclusion that can be drawn from the two main issues are :

1. Customary law of Larwul Ngabal at first was a two different legal regimes, the customary law of Larwul and Ngabal. But along with its development, both legal regime was then experiencing the union, so-called customary law of Larwul Ngabal. The values contained in the seventh articles of the values of Kei local wisdom certainly have a variety of consequences-consequences that can arise as the prohibitions and sanctions to be applied and it shows that the customary law of Larwul Ngabal who are in Kei Islands as the living law is not written is still a reference point for the community because it can and has been tested in solving various problems faced by the community and it is closer to the fairness, certainty and expediency also be understood as a legal purposes.
2. Customary law of Larwul Ngabal evident already internalized in the rules governing public life Kei Islands, this can be proved by customary law of Larwul Ngabal for the people is the supreme law Kei containing command/suggestion/invitation to the community Kei to obey, uphold and maintain the sacred values in a set of life, arrange moral rights and justice either express or implied, as in customary law are values a basic value in use as a reference that binds the whole community of the Kei Islands from generation to generation. Basic values set out in the customary law of Larwul Ngabal consists of 7 articles, there are also 7 Article to the prohibitions should not be done as well as the appropriate level, the offense is called the "*Sasa Sorfit* (seven layers/levels) error/prohibition either in *Nevnev, Hanilit, Hawear Balwarin* law. So the customary law of Larwul Ngabal which is an oral tradition for the Kei community can resolve of legal conflicts, political, economic, social and cultural rights faced.

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