

# Effectiveness "*Larvul Ngabal*" Islands in Conflict Resolution in Kei Southeast Maluku

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**Abstract-** Larvul ngabal effectiveness in the resolution of the conflict in Southeast Maluku covers all aspects of customary law that became the foundation of the Kei grounded in social life as well as the basis for decision making by both individuals and groups in determining policy. All policies and decisions based on customary law larvul ngabal embodied in the seven fundamental ground rules that classification into three categories (Nev-nev, Hanilit, and Huwear Balwarin), each of which were translated into seven chapters, which form the basis of relationships and social order in Kei Southeast Maluku. Therefore, believed to be the tool of civilization in Kei by these traditional institutions can solve all the problems of society. For the Kei, larvul ngabal also has the strength and recognition of the validity and relative nature never changes.

**Index Terms-** effectiveness, larvul ngabal, resolution of the conflict,

## I. INTRODUCTION

Conflict can be interpreted as a conflict of powers and interests between one group with another group in the process of the struggle for social resources (economic, political and socio-cultural) is relatively limited (Edi Suharto, 2002). According to Dubois and Miley (1992), the main source of conflict in society is social injustice, discrimination against the rights of individuals and groups, as well as the lack of respect for diversity. The study results and observations Bruner, Tan and Ismail (in Warnaen, 2002) also revealed that the two main sources of conflict between ethnic groups, namely competition in the field of economy and power struggles.

Social conflict, as has now become part of "routine and everyday" people of Indonesia. The intensity and distribution of the incidence of social conflict rose in line with the multiplication of social conflicts exhaled incident-reported through the news on social conflict in the media. The appearance of news about social conflict in the newspapers and television have made "socialization process" unwittingly have formed opinions about the difference to citizens in other places to emulate and imitate "the processes of solving problems through violence and violence" for similar problems encountered in each locality.

Initiate a discussion on the situation of horizontal conflicts that occur in Tual, Southeast Maluku, the author will start with the conflict in Ambon City on January 19, 1999, then the conflict spread to several other districts such as North Maluku, (now North Maluku), Central Maluku district, as well as Southeast

Maluku District. Disputes and violence that started in Ambon, capital of Maluku province, began to spread to other parts of Maluku province, suggesting that mass riots can not be resolved by the government and the most important is also the responsibility of the riot prolonged is the indecision of the police and military.

Triggers of conflict in Southeast Maluku on March 30, 1999 beginning of the deployment issues through leaflets laden racial issues (ethnicity, religion, race, inter-group) are also increasingly complex and SARA coincide with political nuances causing widespread. In on him political conflict, culture and religion, with a level of intensity and quality is likely to increase, has a long latent conflict oppressed and ultimately unavoidable becomes an open conflict (manifest), with the involvement of the community at large. Latent conflict which according to Simon Fisher is a conflict that is hidden and then lifted to the surface so it can be dealt with effectively (Fisher, 2000).

As stated by Fisher, the real conflict is not necessarily the case if there is no accompanying, and this is an accumulation of various interests that are not distributed or handled objectively both the interests of the political, social, cultural, and economic. Gaps is what can bring a conflict with different motives, such as the use of violent conflicts with the name of religion If the conflict in the name of religion, for the people of Southeast Maluku priority even in life customs and culture as compared to the adhesive rather than religion, but if religion is used as intersection will certainly lead to conflict.

Truth claims of certain religious who declared himself the truest cause conflict in Southeast Maluku had slammed into joints religious life has awakened long enough, the conflict has been tearing apart of a civilization and religious harmony. If the conflict in Ambon triggered by two young men who happened to different religions and beliefs, along with Muslims celebrating Eid 1419 H, has similarities with the type of conflict in Tual, Southeast Maluku. The conflict occurred in Tual two days after Muslims celebrate Eid al-Adha 1419 H two moments that have sacred values for Muslims certainly very influential and a negative impact on the survival of diversity that can cause emotions to commit acts of violence.

A border village in Tual and Taar is the village *Wearhir* precisely dated March 30, 1999 around 03.00 occurred early morning fire and scorched earth houses are in the Muslim population around the village by a group of people. Various versions say that the incident originated from a fight triggered by two groups of youths so that raises a conflict occurs sporadically. Though the local government, religious leaders and traditional leaders have taken the precaution to not spread the conflict in Kei Islands, Southeast Maluku.

By looking at the context of the conflict of the same shape and style can be pointed out that the conspiracy formed with the label of religion used as a scapegoat for the benefit of those who are not responsible for destroying the religious communities in this area. Perception of some people who indicated that the conflict in Southeast Maluku is not a religious conflict, real opinion is look at other aspects, but assuming the author based on the reality that occurs at him in through the gates theological, making it very vulnerable to escalate the conflict, and it is not possible conflict under through the doors of culture and customs. Because it has a custom adhesive strength in public life Kei Southeast Maluku. few in number felt by the people of Southeast Maluku.

## II. RESEARCH METHODS

Research on Indigenous *larvul ngabal* is a qualitative study that categorized as interpretative descriptive study. To analyze the function and role of *larvul ngabal* as a social reality that occurs based on the experiences of various parties recorded in the sources that exist. Data were obtained through interviews, observation, and literature study. Informants consisted of traditional leaders, religious leaders, community, government and young people know about the problems that a lot of this research as well as directly involved in conflict resolution.

## III. RESULTS AND DISCUSSION

### Ngabal Larvul Role In Conflict Resolution

The concept of leadership in society Kei called Kanas (authority / charisma). Magic value inherent in a king along with indigenous elders, when violated by someone, then the sanctions are acceptable not only to the guilty, but can only hit the entire people of a village or neighborhood. The development of the old beliefs that are always attached to himself a leader (king), then crystallized into customary values which form a conception of indigenous leadership.

According to indigenous peoples Kei is considered ideal leader must have three basic principles of Pancasila as leadership developed through P4 of leadership. The concept of "*ti-mdir u umfar horan*" (in front carrying a spear), which has a meaning that, a leader must be in front as a fighter. Fighters in the sense that a leader must fight for the fate of his people, he must be able to fight for the welfare and happiness of life of the people they lead. A leader who can not play this role, he is not even considered to be less successful in his leadership.

The role of kings in the Kei islands to the settlement of the conflict is a very valuable momentum to dialogue and encounters do not just formal and mechanistic, but also informally by using the values of local wisdom that are culturally touch the spirit of true brotherhood.

Pieter Elmas in the article entitled "Journey Finding Self Tracing Traces of Conflict and grounding reconciliation in Society Kei" states that "The entire population Kei now agreed on the application of customary law *larvul ngabal* as the supreme law of them without distinction of origin and religion respectively, They accept it as a recognized able to regulate the relationship of man with man, man's relationship with nature and

the surrounding environment, and the relationship between man and the ruler of heaven and earth (Pieter Elmas, 2001).

Kei islands in Maluku Tenggara region known *larvul ngabal* applicable law in all regions of Kei. Currently *larvul ngabal* consists of three provisions of the law, namely *nevnevyang* consists of seven chapters provisions prohibiting thoughts, words and actions that hurt, harm, destroying and deadly human, *hanilit*, which consists of seven chapters and two rider on morals and *hawaer batwirin*, which consists of seven articles on the legal ownership of these being the only law before the rise of religious law and state are upheld by the expression (king) and SOA (at the head of village), whose authority is based on the completion severity of the case. The process itself originated from reports of people who feel that their rights are violated to traditional leaders, traditional leaders subsequently contact the parties litigant and decisive day of the trial.

In the case of immorality, women should only be checked by some elder women. In practice, *larvul ngabal* contains two sanctions, ie sanctions or legal material and legal *delyoan kevahunin*, a kind of karmic law. Sanction is what is believed to be accepted by those who deceive the court process, so that the material had escaped sanction. *Kevahunin* sanctions This applies not only to the parties involved in the case, but also for all those who participated in the trial process.

As manifested by Karim Rahayaan that, the meaning of which is contained in seven chapters customary law *larvul ngabal* is an indication principled legalistic and should not be violated by anyone (*this ntub fo this, itdid ntub fo it did*) that is to say, for something that belongs to people another not be forced to have, and vice versa something that belongs to us should not arbitrarily take people, even if deliberately violated then of course violates sasorvit seven errors contained in *ngabal larvul* law. Therefore it was laid *hawear* as a sign of a halt to something disputes, in the sense that if something is found *hawear* in conflict with each other face to face, it must be stopped, because if not stopped it violated seven articles of law *larvul ngabal*.

By adhering to the customary law *larvul ngabal* that is based on the philosophy of obedient *anmehe tilur, fuut anmehe ngifund* natural sense, everyone Kei derived from the offspring and can be interpreted in the expression "*ain ni ain*" finally in a relatively short period of conflict can be resolved through the mechanism *sdo* (negotiations) to mark the end of the conflict between the religious community in the Kei islands.

*Larvul ngabal* is customary law in Southeast Maluku with the most complete formulation. The law consists of seven adage, each of which in detail contains sanctions and special restrictions. Kei respond to legal residents of this very seriously, and believes that the sentence contained is returned to persecution in the past. Most adults can quote the verse verbatim and likes to discuss various provisions contained therein.

From the various descriptions of the interview inspired writer in ancient times, it means that there is a law called the law of "*Jungle*" This law is known as the law is very hard, because any wrongdoing should be replaced with the deed. So it is often termed " a tooth for a tooth " for example, there are people who kill other people, the families of the people killed were to be killed one of the perpetrators of the crime, then on his way this law was replaced by the law *larvul ngabal*, one of the laws *larvul ngabal* the law is *hawear balwirin*. *Hawear* means SASI and

with this SASI proprietary rights must be upheld because every offense there is always a consequence to be borne.

Husen Alting found, customary law is not always synonymous with sanctions, because in certain communities, the sanctions is the last alternative when someone does not comply with the norms of life in society (Husen Alting, 2002). Therefore, according to the author of a vital element in indigenous communities is customary law can provide a sense of security and create order in social relationships. Sanctions are not always provided by an institution of authority or power, but some are paid by the public directly through restrictions on social interaction or interaction performed. It can be concluded that, customary law contains elements that make it up. Finally, the author believes that substantially customary law is the law that is always live and thrive in a society, which always keep abreast of the times, provide a guarantee for the public order, as well as capable of delivering justice. Customary law aimed at providing protection, creating peace, and order fair.

From the description of the various speakers were interviewed over the Kei islands describes the characteristics of the community will view their lives, which is reflected in the philosophy of horizontal resolution of conflicts that occurred. Dispute settlement patterns also relates to the nature, characteristics, and characteristics of island communities by promoting Kei *larvul ngabal* customary law as well as the completion of the guidelines covered by the spirit *ain ain ni*. Therefore, for Kei island communities, the conflict is a reality that has devastated the livelihood of community in the Kei islands. So that the process of completion was done quickly, so as not to drag on and undermine the order of values and views of community life in the Kei islands, it is based on a shared commitment among the kings, traditional leaders, religious leaders, as well as law enforcement officials to pursue mechanisms sdov or negotiations as an alternative to conflict resolution, with put *hawear* or SASI as a guarantee of the realization of peace in the Kei islands.

Justice philosophy that wants to be enforced in the settlement of disputes among indigenous peoples in the Kei islands are communal justice. Communal justice is justice where no one feels aggrieved by the decision of the chairman or traditional leaders in resolving the dispute. Justice is very important enforced as the joints of the livelihood of indigenous peoples. Customary law is applied in order to uphold public justice. The dignity of indigenous communities, is largely determined by the degree to which the values of communal justice is realized. The higher the value of communal justice, the stronger and glorious position of the customary law communities.

Tradition settlement of disputes in the indigenous people in the Kei islands tend to use '*traditional pattern*' or in other terms often called the pattern of '*kinship*'. This pattern is applied not only to civil disputes but also criminal. Settlement of disputes with the customary pattern, it does not mean there is not any compensation or penalties against violators of customary law. Penalty continues to be applied in the form of corporal punishment or compensation of property. The application of this penalty is very dependent on the type and severity of a dispute between the parties. Important to state here that, the essence of dispute resolution in the customary law in the Kei islands is to

realize peace in a comprehensive sense. Peace is meant here not only to the party or the perpetrator and victim, but peace for society as a whole. Therefore, the approach used is a persuasive approach to resolving disputes using traditional language and religion, so that the awareness of the parties that there is no means to live in the world, in case of disputes and actions that harm others.

### **Ngabal Larvul Role In Social Integration**

When the volatile conflict in Southeast Maluku, when the authors were at the scene to follow closely regardless of religious backgrounds and beliefs among communities in conflict. The authors are members of the advocacy team Alhuiriah Southeast Maluku that conducted the survey in several villages Muslims and Christians in the Kei Kecil and Kei Besar week after the conflict raging and even still heating up, on a trip that researchers obtain data *emperis* against what actually lies behind the conflict in Southeast Maluku so so quickly escalate almost the bulk of the Kei Islands.

Reconciliation that will be built not involve the grassroots (grass road). The process of mediation and negotiation were conducted focus more on the political elite as well as traditional leaders and religious communities whose credibility is doubtful, even did not have a mass base. In addition, the solution is haste that seemed very instant. Recognizing the inability of the government in the process of conflict resolution and peace in Southeast Maluku locomotive that is that most people perceive that should the government as a facilitator and consistently applying the rules and agreements on itself barn then be neutral to the masses.

In this view it can be analyzed that the government's role in conflict resolution in Southeast Maluku is not effectively is associated with the political process that is getting warmer in the end expiration office of Regent of Southeast Maluku where each political elite has been preparing to acquire an important position in this area, so that the effectiveness of the handling of the conflict is not properly handled.

In addition, public awareness Kei to return to live side by side with the family conflicting, shown when approaching holy month of Ramadan in November of 2000, carried in procession the people of the second meeting of brothers in conflict in which representatives of a group of Christians gathered in the village of Langgur then traveled to the city of Tual taken within 5 kilometers were welcomed by Islamist groups. The second meeting of this group performed in front of the home of King Tual as was bleeding *korbib custom* (traditional house), the procession was marked by a circle-shaped stripe (boat) a type of small boat made of wood.

The meeting summed up the sense of brotherhood, compassion, and tears accompany their meetings. Both groups agreed and promised to forget the tragedy that happened to eliminate resentment, hurt, and start a new life and reach the ultimate future under the banner of *larvul ngabal* as the foundation of indigenous peoples of Southeast Maluku.

Seeing the reality of conflict resolution that is done by people in Southeast Maluku were hatched by the King either Kei Kecil and Kei Besar, indicating that traditional institutions have a role that is fundamental for society Kei Southeast Maluku, the form of settlement of this kind should be followed by people who

have attachment customs which are believed to exist. have a common language and the firmness of the community customs and culture.

From the perspective of conflict resolution, as is done by the customs system *larvul ngabal*, so an old tradition and length will still have durability (resilience), which is able to reconcile himself (reconcile itself) and which is capable of being so force conciliator (reconciliation power) for the other. all are this requires the ability, skill, patience and wisdom as well. Meaning implied in the completion of self-determination is the ability to self-determination. That is conflict resolution conducted by a sincere spirit of indigenous communities without any government interference.

That the settlement of the conflict initiated by traditional leaders with *Larvul necessitates Ngabal* as a local wisdom in the Kei Islands are not just negate conflict and build peace but at least show sincerity to keep the peace and be able to create commitments abuser to not return to conflict. Frame *larvul ngabal* customs and cultures in Southeast Maluku conflict prevention would be a filter as well as a Trash Building in maintaining peace building.

Traditional institution as an institution that is respected by the common law system *larvul ngabal* can act persuasively in upholding justice, it was agreed the revocation process SASI as a rejection of the election process regent and vice regent in Southeast Maluku. Because SASI sealing done in the area Lorlim (Patalima) then has the authority to revoke *hawae*ar SASI is Raja Tual. Conflict resolution was carried by promoting indigenous philosophy embodied in customary *larvul ngabal* namely *an mehe tilur obedient, fuut an mehe ngifir* custom frame is what can unite the two warring groups.

#### IV. CONCLUSION

*Larvul Ngabal* as custom systems monumental strength adhesive that is believed by the community Kei Southeast Maluku which is reflected in the seven chapters customary law. As a traditional system, *larvul ngabal* can resolve the conflict

either social conflicts, as well as trash building for peace in Southeast Maluku. *Larvul ngabal* as an old tradition and have long durability, which is able to reconcile himself and is capable of being peacemakers strength for others. That the synchronization between the State Justice Institute with the traditional system of mutual support *larvul ngabal* the creation of the law enforcement process towards autonomy and globalization.

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