

THE EXISTENCE OF LARVUL NGABAL LAW IN THE LIFE OF THE KEI COMMUNITY

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Cite: Kubangun, Nur Aida (2025). The Existence of Larvul Ngabal Law in the Life of the
Idézés: Kei Community. *Különleges Bánásmód Interdiszciplináris folyóirat [Special Treatment Interdisciplinary Journal]*. 11(SI), 81-97.
DOI: <https://doi.org/10.18458/KB.2025.SI.81>



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EP / EE: Ethics Permission / Etikai engedély: KB/2025SI/0006

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Abstract

The legal status of larvul ngabal represents a customary legal system that serves as the fundamental framework governing the social, political, and cultural life of the Kei Islands community. This legal system functions not only as a normative regulatory framework but also as a repository of moral values and a mechanism for conflict resolution that has been passed down through generations. This study aims to examine the contemporary relevance of larvul ngabal within Kei society and explore the ways in which this customary legal system interacts with modern legal frameworks. Employing a qualitative methodology with a historical and cultural analytical approach, this research investigates the role of larvul ngabal law in shaping social structures, resolving conflicts, and preserving customary and cultural values. The findings reveal that larvul ngabal law continues to be a central pillar in maintaining social equilibrium within the Kei community, despite the increasing integration of positive law as part of the formal legal system. The seven principal articles within larvul ngabal law are categorized into three primary legal domains, namely

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nevnev (criminal law), hanilit (family law), and hawear balwirin (property law). This customary legal framework fundamentally asserts that blood symbolizes life, thereby designating violence and murder as grave offenses that necessitate resolution not only through state law but also through customary legal mechanisms. In instances of disputes or customary law violations, the Kei people predominantly favor resolution through customary legal assemblies rather than formal judicial proceedings, as customary law is perceived to be more culturally congruent and socially integrative. This research contributes to the scholarly discourse on customary law and socio-legal studies, offering insights into the continued significance of indigenous legal systems in fostering social cohesion, regulating communal interactions, and preserving traditional governance structures within indigenous societies at a global level.

Keywords: Eksistensi, hukum larvul ngabal, masyarakat Kei, dan Hukum Adat

Discipline: Cultural Anthropology

Absztrakt

A LARVUL NGABAL TÖRVÉNY LÉTEZÉSE A KEI KÖZÖSSÉG ÉLETÉBEN

A larvul ngabal jogi státusza egy szokásjogi rendszert képvisel, amely alapvető keretet biztosít a Kei-szigetek közösségének társadalmi, politikai és kulturális életének szabályozására. Ez a jogrendszer nem csupán normatív szabályozási keretként működik, hanem erkölcsi értékek tárházaként és konfliktuskezelési mechanizmusként is, amely nemzedékeken át öröklődött. A tanulmány célja, hogy megvizsgálja a larvul ngabal kortárs jelentőségét a Kei társadalomban, valamint feltárja, hogy ez a szokásjogi rendszer miként lép interakcióba a modern jogi keretekkel. A kutatás kvalitatív módszertannal, történeti és kulturális elemző megközelítéssel vizsgálja a larvul ngabal jog szerepét a társadalmi struktúrák formálásában, a konfliktusok megoldásában, valamint a szokásjogi és kulturális értékek megőrzésében. Az eredmények azt mutatják, hogy a larvul ngabal jog továbbra is központi pillérként szolgál a Kei közösség társadalmi egyensúlyának fenntartásában, annak ellenére, hogy a formális jogrendszer részeként egyre nagyobb mértékben integrálódik a pozitív jog. A larvul ngabal jog hét fő cikke három jogterületre osztható: nevnev (büntetőjog), hanilit (családjog) és hawear balwirin (tulajdonjog). Ez a szokásjogi keretrendszer alapvetően azt az elvet vallja, hogy a vér az életet szimbolizálja, így az erőszak és az emberölés súlyos bűncselekményeknek minősülnek, amelyek megoldása nemcsak az állami jog, hanem a szokásjogi mechanizmusok révén is szükséges. Vitás ügyek vagy szokásjogi jogsértések esetén a Kei nép előnyben részesíti a szokásjogi tanácsok általi rendezést a formális bírósági eljárásokkal szemben, mivel a szokásjogot kulturálisan összhangban lévőbbnek és társadalmilag integratívabbnak tekintik. Ez a kutatás hozzájárul a szokásjogi és társadalomjogi tanulmányok tudományos diskurzusához, betekintést nyújtva az őslakos jogrendszerek folyamatos jelentőségébe a társadalmi kohézió elősegítésében, a közösségi interakciók szabályozásában és a hagyományos kormányzási struktúrák fenntartásában világszinten.

Kulcsszavak: létezés, larvul ngabal jog, Kei társadalom, szokásjog

Diszciplínák: kulturális antropológia

Indonesian culture has evolved through a complex interplay of acculturation and assimilation among diverse ethnicities, religions, and traditions spread across thousands of islands within the

archipelago. Its long historical development, from the period of local kingdoms and colonial occupation to the era of independence, has contributed to the formation of a vibrant and

dynamic cultural identity that incorporates both tangible and intangible elements. The tangible aspects include art, architecture, and traditional clothing, whereas the intangible dimensions comprise values, norms, beliefs, and social customs. In daily life, the principles of mutual cooperation (*gotong royong*), familial bonds, and tolerance are embodied in various cultural forms, such as dance, music, traditional rituals, and literary works, illustrating the nation's ability to harmonize diversity. Indonesian culture, characterized by its pluralistic nature, is not merely a legacy from past generations but also continuously evolves to keep pace with globalization and modernization. This adaptability ensures its continued significance and influence, serving as a source of inspiration in addressing contemporary societal challenges.

The cultural differences across various regions in Indonesia reflect the nation's long history, diverse geographical landscapes, and unique social dynamics. In Java, for example, traditions are heavily influenced by the royal court culture and deep-rooted spiritual values, as seen in art forms such as *wayang* (shadow puppetry), *batik*, and religious rituals rich in symbolism. In contrast, Sumatra exhibits a distinct cultural identity through unique customs, including the matrilineal kinship system of the Minangkabau and the strong oral traditions of the Batak people, both of which highlight the values of communal cooperation and family solidarity. In Bali, cultural identity is closely intertwined with Hindu religious traditions, where ritual ceremonies, dance performances, and artistic expressions serve as significant forms of spiritual and aesthetic devotion. Meanwhile, in eastern regions such as Sulawesi, Kalimantan, and Papua, local wisdom is embedded in customary laws, traditional rituals, and linguistic diversity, which are deeply shaped by natural surroundings and resource-based livelihoods. These cultural distinctions not only contribute to Indonesia's rich cultural landscape, but also reinforce the principle

of "*Bhinneka Tunggal Ika*" (Unity in Diversity), which serves as the foundation of the nation's collective identity.

The Maluku region showcases a rich and diverse cultural heritage, where fundamental differences are evident in terms of language, customs, religious practices, and traditional arts. Each island and community in Maluku possesses its own distinct cultural identity, shaped by its geographical location and long history as a centre of the spice trade. In certain areas, Islamic influence is deeply embedded in religious rituals and social structures, while in other regions, Christianity plays a central role in community life and traditional ceremonies. Furthermore, variations in artistic expressions can be seen through dance, music, and handicrafts, each reflecting local wisdom and values of solidarity. This diversity not only enriches the cultural mosaic of Maluku but also strengthens the spirit of tolerance and harmony among communities, demonstrating how historical and cross-cultural interactions have shaped the region's unique social dynamics.

The Kei Islands are one of the archipelagos in the Maluku province, known for their rich cultural diversity. The variety of cultures in this region reflects the dynamic interaction between indigenous traditions passed down through generations and external influences introduced through trade routes and religious dissemination. In this area, cultural differences are distinctly visible in the diversity of customs, ceremonies, and rituals, which vary from island to island, as each community has developed unique symbolism and practices tailored to their historical and environmental contexts. The local languages spoken in the Kei Islands also exhibit dialectal variations, reflecting a distinct cultural identity while simultaneously serving as a means of preserving traditional values. Additionally, religious pluralism, particularly the influence of Christianity and Islam, plays a significant role in shaping religious practices

and social interactions within the community. This has fostered a harmonious form of pluralism, which not only maintains the region's cultural richness but also facilitates adaptation to modern societal developments. These cultural distinctions collectively enhance the cultural mosaic of the Kei Islands, reaffirming that the region's cultural identity remains dynamic and continues to evolve alongside social transformations and globalization.

Method

This study employs a qualitative research method, aiming to provide a factual and accurate description of the existence of larvul ngabal in the daily life of the Kei Islands community. The research utilizes a historical and cultural approach and was conducted over a period of more than one month, specifically from July to August 2023 and from November to December 2024, in the Kei Islands. The data for this study were collected through interviews and observations. The informants were selected randomly to answer the research questions, with a total of 30 respondents, including village heads, traditional elders, religious leaders, and individuals knowledgeable about the historical origins of larvul ngabal. The selection of informants aligns with the criteria established by Garraghan and Lewenson as cited in Efilina & Biczó, which emphasize that in qualitative research, the selection of informants should be based on relevance and several key factors.

First, informants should possess expertise in the subject matter. Second, they should have experience or specialization, which indicates their depth of understanding of the research topic. Third, direct involvement with the research object is crucial to ensure that informants provide first-hand insights based on personal experience. Fourth, informants may hold positions as community leaders or officials related to the research topic, offering broader perspectives on relevant

policies and regulations. Lastly, informants can also be selected from the general public who are directly affected by the phenomenon under study, providing real-life accounts of how such phenomena influence daily life (Kissiya & Biczó, 2024).

Furthermore, to enrich this study, we also collected data through literature review. In this research, the authors directly engaged with texts or numerical data, without incorporating field observations or eyewitness accounts in the form of events, individuals, or other objects. Textual criticism is conducted as part of the literature study, making text analysis techniques such as reading books, articles, and documents a fundamental aspect of this research (Snyder, 2019). Based on the background of the research problem, the research question is formulated as follows: "How does the existence of larvul ngabal law manifest in contemporary Kei society?" The objective of this study is to explore the existence and role of larvul ngabal customary law in the daily life of the Kei Islands community.

Previous research

Several studies have been conducted to examine Larvul Ngabal customary law in various aspects of life within the Kei Islands community. J.P. Rahail, in his book *Larvul Ngabal*, provides an in-depth discussion on the history and structure of this customary law, including the seven fundamental articles that regulate social life in Kei society. Additionally, Nadia Lestari Tarantein, in her research titled "The Significance of larvul ngabal Customary Law and ain ni ain as the basis for Interfaith Interaction in Tual City, Kei Islands," highlights the role of larvul ngabal customary law in fostering religious harmony in Tual City. Furthermore, Abd. Rauf, in his thesis, examines the mechanisms of customary law in resolving interfaith conflicts, emphasizing the role of larvul

ngabal in maintaining peace within the Kei community.

In the environmental context, Temarwut and colleagues analyze the larvul ngabal customary law of sasi from the perspective of Fiqh al-Bi'ah, emphasizing the values of environmental protection and conservation embedded in the customary legal practices of the Kei people. This study demonstrates that larvul ngabal customary law remains relevant within the framework of modern law, social interactions, and environmental protection, making it an essential component of the Kei community's way of life. Furthermore, they link this practice to the concept of Fiqh al-Bi'ah in Islam, asserting that Kei customary law also carries a religious dimension in preserving nature (Temarwut et al., 2023).

Meanwhile, Muhamad Yusuf, Dewi Nofrita, Nanik Nikmal Mafiroh, and Afan Garamatan, in their study titled "Perceptions of larvul ngabal Customary Law Among the Kei Migrant Community in Jayapura City, Papua Province," analyze the understanding and application of Larvul Ngabal customary law among the Kei people residing in Jayapura. This research demonstrates that customary law remains firmly upheld by the Kei community, even after they have settled outside their place of origin (Yusuf et al., 2021). In the field of criminal law, R.H. Rado and Marlyn Jane Alputila, through their article "The Relevance of Kei larvul ngabal Customary Law in the Renewal of National Criminal Law," highlight how this customary legal system can contribute to Indonesia's modern legal framework, particularly in the principles of restorative justice and community-based dispute resolution. The findings of this study indicate that larvul ngabal embodies legal values that can be integrated into the national legal system, fostering a more inclusive legal mechanism that aligns with local cultural traditions (Rado & Alputila, 2022).

At the same time, Bumi Ayu and Mella Ismelina F. Rahayu, in their study "Legal Protection of Customary Land Ownership Rights in Kei," examine how larvul ngabal customary law plays a crucial role in safeguarding the land ownership rights of the Kei community. They also highlight the dispute resolution mechanisms facilitated by customary institutions, demonstrating that the customary legal system remains a primary instrument in addressing land ownership issues within Kei society (Ayu & Rahayu, 2019). From the discussion above, it is evident that existing studies on larvul ngabal have predominantly focused on its legal aspects. In contrast, this paper emphasizes historical and socio-cultural dimensions, employing social and cultural theories to enrich the study of larvul ngabal from these perspectives. The incorporation of these theories aims to foster a more critical, in-depth, and comprehensive analysis, ensuring that this study presents a scholarly work that is both rigorous and academically competent. As a result, the findings of this paper differ from previous research, offering a unique contribution to the discourse on larvul ngabal law.

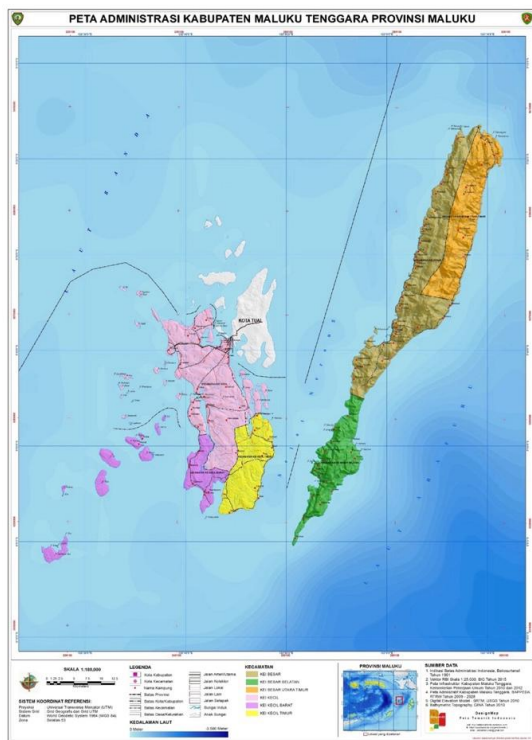
Findings and interpretation

General Overview of the Kei Islands

The Kei Islands are an archipelago located in the southeastern part of Maluku, Indonesia, consisting of approximately 112 islands, both inhabited and uninhabited. The archipelago is administratively divided into two main regions: Southeast Maluku Regency and Tual City. Southeast Maluku Regency, with Langgur City as its capital, comprises eight districts, while Tual City, with Tual as its capital and consists of seven districts. Each district in the Kei Islands plays a strategic role in managing local potential, ranging from economic development and cultural preservation to natural resource management. This regional division not only facilitates coordination between governmental institutions

but also promotes community participation in decision making processes related to regional development. Consequently, the administrative structure comprising eight districts in Southeast Maluku and seven districts in the Kei Islands serves as a fundamental pillar in efforts to enhance community welfare and promote sustainable regional development. See Figure 1.

Figure 1. Map Maluku Tenggara dan Kota Tual
Sumber: <https://petatematikindo.wordpress.com>



The economy of the Kei community is highly dependent on the marine and fisheries sector, given that the region consists of an archipelago. The majority of the population works as fishermen, catching various high-value fish species, such as

yellowfin tuna, albacore, skipjack, bigeye tuna, skipjack tuna, and other reef fish. In addition to capture fisheries, seaweed farming is also an important source of income for the community due to the highly favorable marine conditions. The fisheries and aquaculture products are not only utilized for local consumption but are also sold to other regions and even exported to international markets (BPS, 2021).

Aside from the marine sector, agriculture and plantations also serve as a source of livelihood for the local community, albeit on a smaller scale. Several key commodities cultivated in the region include coconuts, sago, nutmeg, and cloves. Sago is the staple food of the Kei people, while coconuts and nutmeg hold significant market value in both regional and national markets. Tourism has also begun to experience rapid growth, following the increasing popularity of the Kei Islands as a premier marine tourism destination. The stunning beaches, such as Ngurbloat Beach, Bair Island, and Ohoidertawun Beach, attract both domestic and international visitors. With the rising number of tourists, supporting industries such as accommodation, culinary services, and transportation have also witnessed significant growth, further contributing to the region's economic development (Tiwery, 2018).

In the realm of creative industries, the Kei community showcases expertise in producing a variety of handicrafts, including traditional textiles, pandanus weaving, and souvenirs crafted from seashells and wood. These items serve not only for local use but also as popular souvenirs for visitors and tourists. In general, the economic foundation of the Kei people continues to rely significantly on natural resources, especially in the fishing and agricultural sectors. However, with the growth of commerce and tourism, new economic prospects are emerging, facilitated by enhancements in infrastructure and increased efforts to promote local potential (BPS Provinsi Maluku, 2022).

The Inhabitants of the Kei Islands

The origins of the Kei Islands' inhabitants can be explained through various theories, including migration, cultural ecology, cultural diffusion, and social hegemony, which suggest that their identity was shaped by human movement, environmental adaptation, and cultural interactions with other groups across the Nusantara and beyond. From the perspective of Peter Bellwood's migration theory, the Kei people are part of the human movement from East Asia and the Sunda Shelf, which later spread to maritime regions of the Nusantara through trade routes and the expansion of Austronesian culture (Bellwood, 2013). This migration process exposed the Kei community to various external cultural influences, including those from India, the Middle East, and other civilizations in the Pacific and Southeast Asia (Lapian, 2017). Beyond physical migration, the existence of the Kei people has also been shaped by adaptation to the natural environment. Living in an archipelagic region, the Kei community has developed a maritime-based economy, including fishing, maritime trade, and coastal resource management. This adaptation is also reflected in the customary legal system of "hawear," which functions as a mechanism for sustainable resource management, ensuring the long-term survival of the community.

Interactions with other groups across the Nusantara have significantly enriched the language, customs, and social structure of the Kei community. Evidence suggests that cultural influences from Ternate, Tidore, India, and the Middle East can be observed in various aspects of Kei society, including the traditional leadership system, the use of gold and ceremonial fabrics in customary rituals, and the structure of larvul ngabal law, which bears similarities to the legal systems of Maluku and other kingdoms in the Nusantara. Additionally, in terms of social classification, the Kei people are categorized into eight ancestral groups, reflecting the diversity of their ethnic backgrounds and places

of origin, particularly when analyzed through the lens of migration history. These groups include those originating from the Strait of Java and Bali (Soat-Bal), Sumatra, and Sumbawa (Sumbaw). Furthermore, other groups trace their origins to Sulawesi and Muna (Mun), Luang and Mataram (Luang Mobes), as well as Ternate (Jailol Ternate). Additional groups have ancestral ties to Seram, Gorom, and Banda (Seran Ngoran), as well as Papua (Vu'ar Kovyay/Nisyav). This classification indicates that the Kei people have a complex migration history, shaped by various population movements across the Nusantara and its surrounding regions (N. A. Kubangun et al., 2023).

The phenomenon described above is referred to by Kroeber as the process of diffusion. He argues that culture does not develop in isolation, but rather through the spread of cultural elements from one society to another. This process occurs in various ways, such as direct contact through migration, trade, and colonization, as well as indirect interaction through foreign cultural influences that are received and locally adapted. Kroeber identifies several forms of cultural diffusion, including direct diffusion, where a culture adopts elements from another culture through physical interaction; indirect diffusion, which occurs through intermediaries without direct contact; and stimulus diffusion, in which a culture adopts an idea from another culture but modifies it to fit its own social context (Kroeber, 1939). Furthermore, the construction of Kei identity has also been influenced by political dynamics and social hegemony, as explained in Antonio Gramsci's hegemony theory. Although evidence suggests that some of the ancestors of the Kei people originated from the Middle East and India, their social classification places greater emphasis on their Nusantara origins. This indicates that the formation of Kei identity was not solely a natural process but was also constructed through social and political factors. It is likely that this clas-

sification was intended to foster social solidarity, strengthen the legitimacy of customary law, and align with the political context of the past (Geurtjens, 1921).

Tradition and Culture

The Kei Islands possess a rich and deeply rooted cultural tradition that plays a central role in the daily lives of its people. One of the most fundamental aspects of Kei culture is the customary law known as "larvul ngabal," which serves as a moral and social guideline for the community. This customary law governs various aspects of life, including etiquette, land ownership, social relationships, and conflict resolution. The Kei people hold this tradition in high regard, and its implementation remains strong to this day.

Note: Data is come from interviews. A, G. H, 50 year, male, in Kei Island on 1 November 2024. A. R, D, 45 year, male, in Kei Island, 23 September 2023. A. H, 68 year, male, in Kei Island. A. W. N, 56 year, male, in Kei Island 24 September 2023.

Additionally, the Kei community practices a tradition of mutual cooperation known as "Maren," where all community members work together for a collective purpose, such as house construction, organizing traditional ceremonies, or assisting those in need. This spirit of solidarity reflects the strong communal values embedded in Kei culture. Traditional arts and music also play a significant role in Kei cultural identity. One of the most notable traditional dances is tari sawat, which is often performed during customary rituals and religious ceremonies. This dance features dynamic movements symbolizing bravery and unity. Additionally, traditional musical instruments such as the gong and tifa are commonly played in various cultural and festive events. In the field of textile arts, the Kei people are known for their

distinctive traditional weaving, which is often used in customary ceremonies and weddings. Kei woven fabrics feature unique motifs that embody the community's philosophy of life and their deep connection to nature (Silubun, 2020).

Beliefs and spirituality also play a significant role in the lives of the Kei people. Although the majority of the population adheres to Christianity and Islam, they continue to preserve ancestral values that have been passed down through generations. Traditional ceremonies, such as sea rituals to honor ancestors and pray for the safety of fishermen, are still frequently practiced in some traditional villages. Overall, the culture and traditions of the Kei Islands represent a fusion of ancestral customs and religious influences that have evolved over time. The Kei community remains deeply committed to preserving their cultural heritage, making it an inseparable part of their identity and daily life. This paper will not cover all the traditions and cultural aspects of the Kei people but will instead focus specifically on larvul ngabal.

Larvul ngabal Law in History

According to historical accounts obtained through interviews and literature, the term Larvul Ngabal has an etymological origin derived from a combination of words: "Lar" means blood, and "Vul" means red, while "nga" means spear, and "bal" refers to Bali. When translated literally, larvul ngabal means "red blood and the Bali spear." This term is closely linked to oral traditions passed down through generations, which describe historical events that form the foundation of the principles of larvul ngabal law. Larvul ngabal is one of the many forms of local wisdom preserved by the Kei Islands community. According to oral tradition, a family from Bali is believed to have arrived in the Kei Islands by boat, bringing their children and belongings as they sailed towards the

archipelago. Evidence of their arrival is found in the location where they first set foot in the Kei Islands, specifically in Wain village. See Figure 2.

Note: The data is coming from interviews. A, G. H, 50 year, male, in Kei Island on 1 November 2024. A. R, D, 45 year, male, in Kei Island, 23 September 2023. A. H, 68 year, male, in Kei Island. A. W. N, 56 year, male, in Kei Island 24 September 2023. Some other interpretations suggest that *larvul ngabal* originates from the combination of the words "*Lār*" (with a long "a" sound), meaning "sail," and "*Vul*," meaning "red." Thus, the term *larvul ngabal* actually refers to the Kei people's ancestral belief regarding the origins of the founders of this customary law. According to various versions of the story about the arrival of the two siblings, it is mentioned that the boat group led by Jangra was separated from Kasdeu's group due to a storm that struck the southern waters of the Kei Islands.

Figure 2. The boat used by the Kasdeu and Jangra families. Source: Author, 2024



Before Kasdeu and Jangra arrived in the Kei Islands, the local inhabitants had already established communal lives in various settlements, both large and small, each led by a *hala'ai* (traditional leader or chief). Some communities had

formed alliances based on kinship or cooperation, and some had even developed their own customary legal systems. However, there was no single set of rules uniformly applied across the region, so the prevailing laws were often determined by the strength or dominance of particular groups. In Kei society, this condition is known as *hukum dalo ternat*, referring to laws influenced by Jailolo and Ternate.

Kasdeu and Jangra had one son and two daughters, one of whom was named Dit Somar. He inherited several spears from his father, who came from Bali Island. Carrying these spears, Dit Somar sought to build relationships and establish cooperation with local leaders. His efforts were supported by five leaders on Nustēn Island, who then gathered to formulate *larvul ngabal* law as a shared guideline (Silubun, 2020). This meeting also led to the formation of the *lorlim* (Union of Five), which became the foundation for cooperation among the leaders in the region.

Note: Data ini didapatkan melalui wawancara. A. R. male, 58 years, in Kei Island, on 21 Juli 2023. U. Y, male, 60 years, in Kei Island, on 1 Agustus 2023.

On Nusyanat Island, Dit Sakmas, the second daughter of Kasdeu and Jangra, experienced bullying while on her way to her future husband's village. This incident escalated into a conflict involving deception and bloodshed. In response, Tebtut, Dit Sakmas's brother, took the initiative to gather the leaders on Nusyanat Island to formulate laws that would regulate community life while also establishing an alliance to enforce them. This effort was positively received by eleven leaders, nine of whom agreed to draft *Larvul Ngabal* law and establish the *Ursiu* (Union of Nine) alliance. The symbol of the *ursiu* alliance is a buffalo. See Figure 3.

Figure 3. Symbol of the Ursiu alliance (Union of Nine).
Source: Author, 2024



The formation of the Ursiu (Nine) and Lorlim (Five) alliances in the Kei Islands was likely inspired by a mythical system also found in North and Central Maluku. The Siwa-Lima pattern, which is widespread across the Maluku Islands, is believed to have emerged as a result of centuries-long competition in the spice trade. This rivalry involved two major groups: traders who adhered to the Siwa faith, worshipping nine deities as rulers of the universe, and Buddhist traders who followed the five main prohibitions. Although the Kei Islands were not a spice-producing region, their strategic location made them an important stopover in trade routes connecting western Nusantara, the Aru Islands, the Onin Peninsula, the northern coast of Australia, and also a strategic area during the Asia-Pacific War in Maluku. Several places, such as Tual on Du Island and Hār on Nustēn Island, served as transit points for traders traveling along this route (Kissiya, 2020; Leirissa, 1982).

As in North and Central Maluku, the relationship between the ursiu (Union of nine) and lorlim (Union of five) in the Kei Islands was not always harmonious, often marked by power struggles and conflicts over territorial boundaries (Leirissa, 1997; Reid, 1988). Although tensions often arose, larvul

ngabal law was not seen as a conflicting system but rather as a set of complementary rules. Over time, both legal systems were eventually recognized as the primary customary laws governing the entire Kei Islands community, including those belonging to ursiu (Union of nine), lorlim (Union of five), and lorlabai (the neutral group).

Larvul Ngabal Law

The larvul ngabal legal system is summarized in seven main articles, which serve as legal guidelines for Kei society. For more details, see Table 1.

Table 1: *Larvul Ngabal Law (Hukum Larvul Ngabal) in the Kei Islands. Source: Author, 2023 & 2024.*

Main Categories	Articles
1. Hukum <i>Nevnev</i>	1. Und entauk tavunad 2. Lelad ain fo mabiling 3. Ulnit envil atumud 4. Lar nakmot ivud
2. Hukum <i>Hanilit</i>	5. Rek fo mabiling 6. Moryain fo kelmudun
3. Hukum <i>Hawear Balwirin</i>	7. Hira ni fo i, ni it did fo itdid

The Table 1 shows that the seven articles of larvul ngabal law are divided into three main categories: nevnev law, hanalit law, and hawear balwirin law. Each category governs different aspects of Kei community life, including social norms, family values, and property ownership. Articles one to four fall under nevnev law, which pertains to etiquette norms and criminal law. The next two articles, five and six, are classified under hanalit law, which regulates family norms and morality. The seventh article belongs to hawear balwirin law, which concerns ownership rights and social justice.

Interpretation

Understanding the Formation of Larvul Ngabal Law

From the perspective of etymological theory, which examines the origins and development of word meanings in a language, the term larvul ngabal demonstrates how language functions as a tool for recording the history and culture of a community. Wilhelm von Humboldt, a linguist, argued that language is not merely a means of communication but also reflects the way of thinking and cultural values of the society that uses it (von Humboldt, 2005). In this context, larvul ngabal is not just a combination of words with a literal meaning but also represents heroism, the customary legal system, and the identity of the Kei people, passed down through generations.

As previously explained, long before the arrival of Kasdeu and Jangra, the Kei Islands' society already had an established social structure. This phenomenon can be analyzed using the legal pluralism theory developed by Sally Engle Merry, which explains that in societies without a strong state legal system, there is often an overlap between various legal systems, including customary law, religious law, and external laws imposed by other powers (Merry, 1988). In relation to this, in the Kei Islands, hukum dalo Ternat illustrates how external influences (Jailolo and Ternate) played a role in shaping the local legal system, reflecting the existence of legal pluralism in Kei society before the codification of larvul ngabal customary law.

Additionally, Eugen Ehrlich's theory of customary law, as presented in *Fundamental Principles of the Sociology of Law*, emphasizes that law does not originate solely from the state or formal authorities but also develops organically within society through social norms and customs (Ehrlich, 1962). In the context of Kei, each community had its own customary legal system before the establishment of larvul ngabal law. This also relates to Roscoe Pound's concept of "living

law", which asserts that law must be understood within the context of the social life of the society that practices it (Ehrlich, 1962).

From the perspective of Antonio Gramsci's hegemonic theory, hukum dalo ternat can be seen as a form of cultural and political domination (Gramsci, 2011) by the more powerful Maluku kingdoms over the Kei people. Jailolo and Ternate had significant economic power in the spice trade, making their influence on Kei's legal and social structures understandable as a process of hegemony, in which a dominant group establishes norms and rules that others follow. Thus, before the formulation of larvul ngabal law, the legal system in the Kei Islands was pluralistic and influenced by external power dynamics. The process of developing larvul ngabal customary law then became a step toward codifying a more unified legal system, replacing the previous system, which had been more dependent on power struggles and external influences from the Maluku kingdoms.

The story of Dit Somar in the formation of larvul ngabal law can be analyzed through various social, political, and legal theories that explain the development of legal systems and leadership within a society. Dit Somar represents charismatic leadership, where his influence did not stem from formal rules or lineage but rather from his personality, symbolism, and ability to build trust within the community. By carrying the spear inherited from his father, who came from Bali Island, Dit Somar used the spear as a symbol of legitimacy, enabling him to unite five leaders on Nustēn Island. This illustrates how a leader with charisma and moral influence can create a new social structure that is accepted by the community, as described by Max Weber in *Economy and Society* in Holton & Turner (Holton & Turner, 2010).

Furthermore, the process of formulating larvul ngabal law can be linked to the social contract

theory introduced by Jean-Jacques Rousseau in his work *The Social Contract*. Rousseau argued that laws emerge from a collective agreement within society to establish order and justice (Rousseau, 1938). In this context, the five leaders on Nustēn Island consciously gathered to formulate larvul ngabal law as a shared guideline, reflecting the existence of a social contract that bound them within an agreed legal system. This decision signifies a transition from an unstructured legal system based on the dominance of certain groups to a more organized, collective, and widely accepted legal framework within the community.

As previously explained, before Larvul Ngabal law was formulated, each community in the Kei Islands had its own distinct customary laws, but there was no single legal system that unified them. Dit Somar and the five leaders on Nustēn Island then consolidated these customary norms into a more structured legal framework, reflecting how customary law can emerge and evolve from the social practices of the community itself. From Antonio Gramsci's hegemonic perspective, the formation of the Lorlim (Union of Five) alliance can also be understood as a process of cultural hegemony, in which a group with greater influence creates a new social consensus and norms that are widely accepted by society. In *Prison Notebooks*, Gramsci argues that hegemony is not established solely through physical force but also through ideological influence and social consensus (Gramsci, 2011). In this context, larvul ngabal law became a hegemonic tool that unified Kei society under a widely accepted legal system. This law was not merely a set of rules but also a symbol of the social and cultural identity of the Kei people, demonstrating that the formation of law is not just a legal process but also a political and cultural one. Therefore, this event reflects how charismatic leadership, social contract theory, customary law, and cultural hegemony interact in the formation of legal and social structures in the Kei Islands. Dit

Somar was not only a visionary leader but also the initiator of a legal system that emerged from social consensus and the needs of the community. The formation of larvul ngabal law and the lorlim alliance demonstrates that law does not always originate from formal institutions but can also develop through social norms, political interactions, and cultural symbolism accepted by society.

The bullying incident involving Dit Sakmas, which ultimately led to bloodshed, illustrates a social conflict that triggered the transformation of the legal system on Nusyanat Island. Tebtut, as Dit Sakmas's brother, took on the role of a leader by initiating a gathering of local leaders to formulate a more systematic legal framework while also establishing the Ursiu (union of nine) alliance as the body responsible for enforcing these laws. From the perspective of social conflict theory, as proposed by Lewis Coser in *The Functions of Social Conflict*, conflict often serves as a catalyst for broader social change (Coser, 1964). In this case, the incident involving Dit Sakmas created tensions that compelled local leaders to establish a more structured legal system to prevent similar conflicts in the future. This event also aligns with Johan Galtung's conflict transformation theory, which emphasizes that conflict can lead to more just structural changes when addressed through dialogue and the formulation of new regulations.

Additionally, the formulation of larvul ngabal law by the nine leaders on Nusyanat Island can be linked to social contract theory. In this context, the agreement among the nine leaders to establish larvul ngabal law reflects the existence of a social contract, where laws were no longer determined by individuals or specific groups but were collectively agreed upon for the greater good of society. Before larvul ngabal was established, the people of Nusyanat Island had customary rules that were not yet centralized, making this new legal system a codification of pre-existing social values. This

demonstrates that customary law evolves as a response to emerging social challenges within a community. Larvul ngabal law and the Ursiu alliance became tools for local leaders to establish dominance through a legal agreement accepted by society. In this context, law not only functions as a normative regulation but also as a mechanism for building a more stable power structure, where the leader group (Hala'ai) plays a crucial role in law enforcement and social conflict management.

Thus, the bullying incident involving Dit Sakmas and Tebtut's initiative in formulating larvul ngabal law reflect how social conflict can serve as a catalyst for legal transformation and social order. In this process, various theories such as social conflict, social contract, customary law, and cultural hegemony help explain how larvul ngabal emerged as a product of societal consensus aimed at establishing order and stability in their social life. Fieldwork findings indicate that the formation of the ursiu (nine) and lorlim (five) alliances in the Kei Islands can be linked to social, economic, and legal theories that explain how social structures are formed and evolve within a society. The siwa-lima system, which is also found in North and Central Maluku, demonstrates the influence of trade and cultural interactions in shaping the social structure of the Kei community (Kissiya, 2019; N. Kubangun et al., 2023).

In relation to this, Karl Polanyi, in his book *The Great Transformation*, emphasizes that the economy of traditional societies is inseparable from social and cultural factors (Polanyi, 1944).

In this context, the existence of the group of nine and the group of Five reflects how the Nusantara trade system and economic networks played a role in shaping the social and legal identity of the Kei community.

Additionally, the formation of the two main groups (ursiu and lorlim) can also be analyzed through Furnivall's theory of social dualism, which explains how societies within a region can be

divided into two social groups that develop in parallel while still interacting (Ohoira, 2016). In this context, ursiu and lorlim were linked to belief systems and trade alliances, yet they often competed to maintain influence and power in the Kei Islands. The conflict between these two groups aligns with Lewis Coser's social conflict theory, which emphasizes that competition between groups is often a driving force behind social and political change.

Although tensions often arose, larvul ngabal law remained recognized as the primary customary legal system governing the entire Kei community. This aligns with Jean-Jacques Rousseau's social contract theory, which states that societies establish laws as a result of a collective agreement to create order and social balance. In the Kei context, larvul ngabal law developed as a form of social contract between previously competing groups, who ultimately agreed on a set of rules to govern their shared way of life.

From the perspective of Antonio Gramsci's hegemony theory, larvul ngabal law can also be understood as a cultural hegemony instrument that ensures a social order accepted by all parties. In *Prison Notebooks*, Gramsci explains that the ruling class or dominant group often creates norms and rules that are accepted by society as part of a social consensus (Gramsci, 1971). In this context, larvul ngabal is not merely a customary law but also a system that upholds power structures and unity within the Kei society.

The Existence of Larvul Ngabal Law by Articles

Larvul ngabal law remains the primary guideline in the lives of the Kei Islands' communities, despite modernization and the implementation of state law. This legal system functions not only as customary law but also as a set of moral values, social norms, and a conflict resolution mechanism within the community. Its presence remains

relevant in various aspects of life, including social relations, customary law, dispute resolution, as well as cultural and economic practices. The larvul ngabal law will be discussed article by article in this section.

The first article *uud entauk tavunad*, meaning "the head rests on the nape," emphasizes that each individual is responsible for their own actions. This principle is evident in the customary conflict resolution system, where those who commit wrongdoing must be held accountable before customary institutions. For example, in cases of land disputes between families in Kei, the community prefers to resolve conflicts through customary deliberation rather than immediately taking the matter to formal legal institutions. In such cases, individuals who violate customary law are required to pay sanctions in the form of gold, traditional cloth, or livestock, depending on the severity of the offense. This concept can be explained through Talcott Parsons' structural-functionalism theory, which asserts that each individual in society has roles and responsibilities that must be fulfilled to maintain social balance. When a violation occurs, customary law functions as a social control mechanism to ensure that the individual returns to the established norms (Parsons, 1961).

The larvul ngabal law reinforces the values of politeness and ethics in social interactions. The principle of "*lelad ain fo mahiling*," which emphasizes the importance of maintaining dignity and honor, is still upheld in Kei society. For example, in customary marriage traditions, the groom's family must pay *belis* (bride price) according to the agreed terms as a sign of respect for the bride's family. If this obligation is not fulfilled, it may be considered an insult, potentially leading to family conflicts. This phenomenon can be linked to John Finnis' natural law theory, which asserts that law does not only originate from human-made rules but also from moral values

embedded within a society's culture (Finnis, 2011). In the Kei community, larvul ngabal law is followed not only because it is customary and binding but also because it is regarded as a moral value that must be respected to maintain social harmony.

Subsequently, the article "*ulnit envil atumud*" emphasizes the importance of patience, resilience, and social solidarity. This concept remains evident in the tradition of mutual cooperation, known as *masohi*, where the Kei community consistently works together in various aspects of life. For example, when someone needs assistance in building a house or faces economic difficulties, community members voluntarily help without expecting any compensation. This demonstrates that collective interests are prioritized over individual needs. This concept can be explained through Pierre Bourdieu's theory of social capital, which states that social relationships within a community create value and resources that help maintain social balance (Bourdieu, 1977). In Kei society, mutual cooperation is not only an expression of social care but also strengthens social networks and trust among community members.

Succeeding, "*lar nakmot ivud*," meaning "blood as a symbol of life," is closely related to customary criminal law, which strictly prohibits acts of violence or murder. If a fight results in the loss of life, the perpetrator is not only punished under state law but must also undergo a customary trial and pay customary sanctions to the victim's family. For example, in cases of inter village conflicts in Kei Besar, perpetrators are required to pay compensation in the form of gold, traditional cloth, and other valuable items as a form of social responsibility and to restore balance within the community.

The principles of "*rek fo mahiling*" and "*moryain fo kelmotun*," which mean "the threshold must be guarded and respected," are part of Hanalit law within larvul ngabal, emphasizing the importance

of honor, the sanctity of the household, and respect for social boundaries in Kei society. This principle teaches that the family is a sacred institution, and any violation of household honor such as infidelity, adultery, or inappropriate behavior is considered a serious offense under customary law. In contemporary Kei society, this customary law is still highly respected and practiced in social interactions, the marriage system, and conflict resolution within families. As a case in point, in cases of infidelity or extramarital relationships that become known to the community, the guilty couple will be tried in a customary court, where they may face customary sanctions such as fines in the form of gold, traditional cloth, or the obligation to perform a customary ritual as an apology to the affected family. If the violation is committed by a married man, he may be required to pay compensation to his wife and her family or even be expelled from the village as a form of social punishment. This reflects the function of larvul ngabal law as a tool for maintaining social stability and preventing family discord.

In line with this, Travis Hirschi's social control theory states that social norms and cultural values play a role in regulating individual behavior, preventing deviation from societal rules (Hirschi, 2001). In Kei society, customary laws such as rek fo mahiling and moryain fo kelmütun function as social controls that regulate individual behavior within households and interfamily relationships. With these laws in place, people are more cautious in maintaining social ethics, particularly in interactions between men and women, and they show greater respect for household boundaries. Furthermore, these laws are closely related to Talcott Parsons' structural functionalism theory, which argues that every social norm serves a function in maintaining balance and order in society. In the Kei context, rek fo mahiling and moryain fo kelmütun acts as a social mechanism

ensuring that family relationships remain harmonious, the dignity of both men and women is upheld, and no violations occur that could disrupt the social structure. Thus, these customary laws serve not only as normative regulations but also as tools for preserving interfamily relationships and maintaining moral values within the community.

The article "hira ni Fo I, ni it did fo itdid," which means "What belongs to others remains theirs, what belongs to us remains ours," is part of hawear balwirin law within the larvul ngabal legal system. This article emphasizes fundamental principles of ownership, honesty, and respect for others' property, which serve as the foundation of social life in Kei society. The core value of this article is the prohibition against theft, confiscation, or any actions that harm others in terms of property ownership. In Kei customary law, personal and communal assets, land, and resources must be respected, and every individual is obliged to maintain their rights without violating the property rights of others.

In practice, if someone violates this article by stealing or taking property that does not belong to them, they will be subject to customary sanctions under larvul ngabal law. These sanctions may include returning the stolen goods along with paying customary fines, such as gold, traditional cloth, or livestock. Additionally, the perpetrator may face social punishment in the form of ostracization or moral sanctions from the community. A concrete example can be seen in cases of land theft or illegal exploitation of marine resources in the Kei Islands, where a customary court is immediately convened to resolve disputes based on customary law, ensuring that property rights are upheld and social balance is maintained. From the perspective of Jean-Jacques Rousseau's social contract theory, this article reflects how the Kei community establishes a social agreement to respect collective property rights as part of maintaining community order. Meanwhile, ac-

According to Émile Durkheim's restitutive law theory, this article functions to restore social balance in cases of violations, where customary sanctions aim to repair social relationships between the offender and the victim. Thus, the article "Hira Ni Fo I, Ni It Did Fo Itdid" is not merely a customary rule but also a symbol of honesty, respect for property rights, and social balance within Kei society. Its continued existence demonstrates that the Kei people remain committed to the principles of justice and respect for ownership rights, despite undergoing various social and legal transformations in the modern era.

Conclusion

Larvul ngabal law is a customary legal system that serves as the fundamental framework for regulating the social, political, and cultural life of the Kei people. This law functions not only as a normative instrument but also as a reflection of moral values, justice, and social balance that have been passed down through generations. With its core principles embedded in *nevnev* (criminal law), *hanalit* (family law), and *hawear balwirin* (property law), larvul ngabal has established a legal system that emphasizes respect for life, family, and ownership within the community. The continuity of larvul ngabal law in Kei society demonstrates that customary law still plays a significant role despite legal modernization and the development of state law. The Kei people continue to rely on customary legal mechanisms to resolve conflicts, including family disputes, ownership disagreements, and violations of social norms, highlighting the law's restorative and community-based nature. Although state law now governs various aspects of society, larvul ngabal remains recognized and respected as an integral part of the Kei people's cultural identity. Its persistence proves that customary norms and laws possess resilience in maintaining social harmony and remain relevant in addressing modern

social challenges. Thus, larvul ngabal is not merely a set of customary laws but a legal system deeply rooted in the cultural and spiritual values of the Kei community, continuing to endure as an essential part of their collective life.

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