Hybridity, Intersection, and Challenge: Navigating the History of Customary and Islamic Family Law in Moluccan Marriages

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ABSTRACT

The relationship between local traditions and Islamic family law primarily revolves around marriage, kinship, inheritance, and female's roles within the family. However, this focus tends to emphasize gender roles, family authority, and individual rights, overlooking the intricate negotiations of values between Islamic traditions and local norms. This raises important questions about how these negotiations occur, the points of convergence, and the challenges faced in establishing a unique local Islamic family identity and legal framework. This study, which examines cases in Negeri Morella, Central Moluccas, aims to address these questions. The findings indicate that the negotiation process has been ongoing for a significant period, heavily influenced by the maternal-oriented Austronesian culture, which has contributed to a distinct Islamic identity within the community. This development has been shaped by the Sufism movement, which emphasizes human excellence (*ihsān*) at the family level. The negotiations occur at the intersection of customary values and Islamic marriage norms,

significantly influenced by the clan (*soa*), which plays a crucial role as both a customary and religious authority. Although there is apparent harmony, the Morella community faces significant challenges, including tensions between orthodoxy and heterodoxy of religiosity, socio-cultural conflicts, the marginalization of women's roles during spiritual transitions, and the predominance of Islamic law practices over customary law. This research provides valuable insights into the discussion surrounding the hybridity debate of Islamic family law, particularly regarding the perspectives of puritanical Muslims who often decline indigenous practices of Islamic law.

[Interaksi antara tradisi lokal dan hukum keluarga Islam umumnya terfokus pada pernikahan, kekerabatan, warisan, dan posisi perempuan dalam keluarga. Namun, persinggungan tersebut hanya menyoroti peran gender, otoritas keluarga, dan hak-hak individu, sehingga mengabaikan kompleksitas negosiasi norma antara keadatan dan keislaman. Hal ini mengundang perdebatan lanjutan tentang bagaimana proses negosiasi, titik temu, dan tantangan yang berlangsung dalam pembentukan identitas Muslim Maluku. Melalui eksplorasi kasus di Negeri Morella, Maluku Tengah, studi ini berusaha mencari jawaban atas tiga perdebatan tersebut. Fakta menunjukkan bahwa proses negosiasi telah terjalin cukup lama yang sangat erat dipengaruhi oleh Austronesian culture yang lebih bersifat maternal, dengan membentuk sebuah identitas Islam yang khas bagi komunitas lokal. Ini terjadi karena pengaruh gerakan Sufism yang membentuk human excellence (*ihsān*) ke dalam unit kecil, seperti keluarga. Dasar negosiasi ini berlanjut pada titik temu antara nilai-nilai adat dengan norma pernikahan Islam. Perjumpaan ini sangat kuat dibentuk oleh pengaruh clan (*soa*), dengan peran pentingnya sebagai tokoh adat dan agama sekaligus. Meskipun tampak harmonis, komunitas Morella masih menghadapi tantangan serius, seperti ketegangan antara ortodoksi dan heterodoksi keagamaan, konflik sosial-budaya, marginalisasi peran perempuan dalam transisi spiritual, serta dominasi praktik hukum Islam atas hukum adat. Studi ini menawarkan kontribusi penting dalam perdebatan hibriditas hukum keluarga Islam, terutama terhadap sikap kelompok Muslim puritan yang cenderung menolak praktik-praktik indigenisasi hukum Islam.]

Introduction

The historical relationship between *adat* and Islamic law within the Indonesian archipelago presents a multifaceted legal framework that has existed since before the 20th century. Notable evidence, such as the 14th century Terengganu inscription,[1] suggests the early presence of legal pluralism, wherein both customary and Islamic

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[1]   Ayang Utriza Yakin, 'Dialetic Between Islamic Law and Adat Law in the Nusantara: A Reinterpretation of the Terengganu Inscription in the 14th Century', *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 3, no. 2 (13 February 2015): 293–312.

legal systems functioned concurrently, albeit with distinct scopes and social ramifications. *Adat* law predominantly served as the primary legal framework, while Islamic law appeared to function as an alternative system, particularly among lower social status. This early coexistence prompts significant inquiries regarding the hierarchical application of law and the sociopolitical dynamics that shaped legal authority. In the contemporary context of Mamala Village, Maluku (Moluccas), the enduring nature of this duality is exemplified by cultural practices such as the *sapu lidi* tradition,[2] a post-*eid al-fitr* ritual that amalgamates Islamic values within a customary framework.[3] Despite its apparent coherence, this interaction remains insufficiently examined in academic literature, particularly concerning how such traditions negotiate authority, legitimacy, and continuity between religious and customary norms. This situation raises critical academic questions regarding the contemporary interactions between *adat* and Islamic law in local contexts such as Negeri Morella in the Moluccas Island.

Despite the increasing scholarly interest in the interplay between customary and Islamic law in influencing Muslim family life in Indonesia,[4] the prevailing body of research has predominantly concentrated on either the harmonious integration or cultural adaptation within broad regional frameworks.[5] These investigations frequently emphasize instances where Islamic principles are assimilated into customary practices without notable conflict,[6] as observed in regions such as Kei[7] and Kaitetu[8], thereby depicting a seemingly untroubled coexistence. However, there remains a paucity of knowledge regarding the intricate and evolving tensions, disputes, and negotiations that manifest in more localized contexts,[9] particularly in

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2   Flavius Floris Andries, 'The Integration of Religion and Culture to Construct Social Identity Through The Pukul Sapu Ritual in Mamala Village, Moluccas', *Jurnal Humaniora* 30, no. 1 (24 February 2018): 92–101.

3   Abdul Manaf Tubaka, 'Analisis Upacara "Pukul Sapu" Di Negeri Morella Kecamatan Leihitu Kabupaten Maluku Tengah', *Dialektika: Jurnal Pemikiran Islam Dan Ilmu Sosial* 12, no. 2 (19 December 2019): 143; Sanusi Ulath and Muh Fathoni Hasyim, 'The Relation Between Religion and Culture Within The 7th Shawwal Celebration in Morella, Central Molucca: A Living Hadith Study', *Jurnal Penelitian Keislaman* 19, no. 1 (30 June 2023): 91–102; Chresty Thessy Tupamahu, 'Kontekstualisasi Misi Melalui Tradisi Pukul Sapu Di Desa Morella', *Missio Ecclesiae* 5, no. 2 (31 October 2016): 153–68.

4   Rosdalina Bukido et al., 'Exploring Harmonization Challenges Between Islamic and Positive Law on Polygamy in Indonesia', *Al-'Adl* 17, no. 2 (2024): 168–89; Rr Dewi Anggraeni, 'Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia: Tension and Constraints', *Ahkam: Jurnal Ilmu Syariah* 23, no. 1 (2023): 25–48; Fitri Rafianti, Arik Dwijayanto, and Azharuddin Mohd Dali, 'The Dialectics of Islamic Law and Customary Law on Marriage Concept of Javanese Muslim in Malaysia', *Justicia Islamica* 18, no. 2 (19 November 2021): 298–317.

5   Asrizal Saiin et al., 'The Domination of Islamic Law in Customary Matrimonial Ceremonies: Islamic Values within the Malay Marriage Tradition in Kepulauan Riau', *Al-Ahwal: Jurnal Hukum Keluarga Islam* 16, no. 2 (29 December 2023): 320–41.

6   Munadi Usman et al., 'The Role of Customary Law in Family Resilience and Divorce Prevention: Phenomenological Studies in Indonesia', *Al-Istinbath: Jurnal Hukum Islam* 9, no. 2 (20 September 2024): 823–40; Dinda Difia Madina, Zezen Zainul Ali, and Mega Puspita, 'Aligning Islamic Law and Customary Law: Legal Dialectics in The Tradition of Forced Marriage in Jambi', *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial* 20, no. 1 (20 June 2023): 1–16.

7   Sabara Nuruddin and Aksa Aksa, 'Religious Harmony through the Development of House of Worship Based on Local Genius in Kei Islands, Maluku', *Al-Qalam* 28, no. 2 (2 November 2022): 279.

8   Wuri Handoko et al., 'Understanding Islamic Harmony in Indonesia: Tracing the Relations of Religion, Powerand Tradition in the Moluccas', *Kurdish Studies* 11, no. 2 (2023): 1807–19.

9   Muhammad Idris Nasution, Muhammad Amar Adly, and Nurcahaya Nurcahaya, 'The Role of the Namora Natoras Mandailing Traditional Institutions in Forced Marriage in Affairs Cases', *Jurnal Mahkamah: Kajian*

areas like Morella, Central Moluccas, where both customary traditions and Islamic law possess substantial legitimacy. The absence of targeted empirical research examining how Muslim family life in Morella is influenced by this dual legal authority represents a significant gap in the comprehension of the lived experiences of legal pluralism in Indonesia. This research aims to fill that gap by exploring the dynamic interactions between customary and Islamic family law in Negeri Morella, with a specific focus on the socio-legal negotiations, customary family law, and Islamic marriage systems that arise in attempts to reconcile these three normative frameworks.

Therefore, this article seeks to elucidate the emergence of *adat* and Islamic family law through the integration of Islamic legal principles and local marriage norms, employing a historical lens to navigate these intersections. To enhance comprehension of this topic, the authors concentrate on three primary inquiries. First, we examine how the negotiation between local indigenous traditions and the advent of Islam has influenced collective identity in the Moluccas. Second, we investigate the intersections between *adat* and Islamic family norms within Moluccas society. Third, we address the challenges associated with incorporating Islamic jurisprudence into *adat* frameworks. By analyzing the case of Morella, this study aims to deepen the understanding of the intricate relationship between customary and religious laws in Indonesia and to provide insights into potential strategies for reconciling legal pluralism in family law. Furthermore, by broadening the focus beyond the exclusivity of *adat*, this research explores the harmonious interaction between customary law and Islamic legal traditions.

This research is organized through a historical analysis and employs a case study approach, which facilitated the interview process involving ten informants from three stakeholder groups: religious leaders, traditional authorities, and local government representatives. To enhance the comprehensiveness of the field data, the authors implemented a rigorous cross-checking process that included the examination of primary document and direct observation in Negeri Morella, located in the Moluccas Islands. From this field work study, the authors have extracted and presented findings pertaining to a specific subject area, which are summarized in this paper. In the structural framework of this article, the authors categorize our analysis into three sub-sections subsections: hybridity, intersection, and the challenge pertaining to the historical context of customary and Islamic family law in Moluccan marriages. As a theoretical consideration, the authors have employed the concept of legal pluralism to critically examine historical narratives and the emergence of Islam, which have significantly impacted both Muslim communities and indigenous populations.

Legal Pluralism as a Critical Analysis

Prior to advancing further, it is imperative for authors to reconceptualize the terms negotiation, intersection, and challenges as our pertain to existing literature.

Ilmu Hukum Dan Hukum Islam 7, no. 1 (11 June 2022): 43–54; Keebet Von Benda-Beckmann, 'Anachronism, Agency, and the Contextualisation of Adat: Van Vollenhoven's Analyses in Light of Struggles Over Resources', *The Asia Pacific Journal of Anthropology* 20, no. 5 (20 October 2019): 397–415.

Normatively, negotiation is understood as a social mechanism that enables local communities to preserve their traditional identities while simultaneously acknowledging new authorities and teachings, such as those derived from Islam, without necessitating overt conflict or the supremacy of one legal system over another.[10] Additionally, the concept of intersection is relevant in the context of marriage, where it denotes the convergence of two distinct legal systems characterized by differing logics, norms, and authorities, which concurrently govern the community's marriage practices.[11] Nonetheless, challenges emerge when tensions arise between religious authorities and customary institutions, particularly concerning the interpretation of "legitimacy" and "validity" in marriage, the status of women, divorce, and inheritance issues.[12] To synthesize the various connections and identify potential conflict tendencies, this study necessitates the development of an exploratory framework that traces the historical context of tribal communality, thereby elucidating the points of convergence, intersections, and negotiations that warrant further examination.

Although scholars endeavor to explain the relationship between Islamic and customary family law through a historical lens, several constraints persist. Due to the limited timeframe for gathering field data and reviewing existing literature, the authors, during the period from February to May 2024, recognized that a comprehensive approach was necessary to facilitate a reconciliation between the two legal systems—customary and Islamic value. This reconciliation aims to enable them to coexist and adapt to one another in practice, which can be achieved through both symbolic compromises (such as the integration of customary ceremonies with marriage contracts) and the reinterpretation of norms (for instance, redefining marriage guardianship in accordance with customary kinship structures).[13] This context represents a negotiation process that unfolds when these two systems interact. From this negotiation, it is possible to establish intersections that operate normatively within communities characterized by diverse local traditions, as exemplified by the case study conducted in Negeri Morella.

This study employs the legal pluralism framework as a primary analytical tool to dissect a range of cultural dimensions pertinent to the negotiation process, intersectionality, and challenge mapping within the context of marriage practices in Muslim indigenous communities. Legal pluralism, as articulated by scholars such as

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10   Usman Al Farisi et al., 'Negotiation Between Customary Law and Islamic Law: The Practice of Palang Pintu in The Traditional Marriage in The Betawi Muslim Community', *De Jure: Jurnal Hukum Dan Syar'iah* 15, no. 2 (31 December 2023): 268–85; Muh. Fathoni Hasyim, Liliek Channa Aw, and Moh. Mufid, 'The Walagara Marriage Ritual: The Negotiation between Islamic Law and Custom in Tengger', *Journal of Indonesian Islam* 14, no. 1 (1 June 2020): 139.

11   Sirman Dahwal and Zico Junius Fernando, 'The Intersection of Customary Law and Islam: A Case Study of the Kelpeak Ukum Adat Ngen Ca'o Kutei Jang in the Rejang Tribe, Bengkulu Province, Indonesia', *Cogent Social Sciences* 10, no. 1 (31 December 2024): 1-14.

12   Zaini Nasohah, 'Dynamics of Islamic Family Law in Facing Current Challenges in Southeast Asia', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 1 (6 January 2024): 1–19.

13   Joko Susilo and Wulan Safitri, 'Convergence of Customary, Islamic and State Law in Sasak Community Marriages', *Indonesian Journal of Islamic Law* 5, no. 2 (30 December 2022): 80–97; Syh Noorul Madihah Syed Husin, Raihanah Azahari, and Asmak Ab Rahman, 'The Practice of Al-Ta'awun in the Wedding Expenditure of Malay-Muslims in Malaysia', *Pertanika Journal of Social Sciences and Humanities* 28, no. 2 (2020): 1467–84.

Griffiths,[14] Moore,[15] von Benda-Beckmann,[16] and Lukito,[17] challenges the notion that law is exclusively a state construct. These theorists assert that in a multifaceted society, multiple normative systems coexist and interact. Within this paradigm, state law, religious law, and customary law are not perceived as hierarchical or mutually exclusive; instead, they are viewed as concurrent legal systems that engage in competition, negotiation, and occasional compromise within the social fabric of society.[18]

In the realm of family law, particularly concerning marriage, this framework is pertinent for examining how Muslim indigenous communities in Indonesia, such as those in Negeri Morella, navigate the interplay between longstanding customary norms and Islamic doctrines that have undergone processess of purification and ortodoxy. The theory of legal pluralism facilitates an exploration of legal practices in their contextual and case-spesific manifestations, wherein local actors actively engage with state or religious laws rather than merely accepting them passively.[19] This dynamic allows for the examination of concepts such as "legal arenas" and "normative convergence", which are crucial arise in marriage practices, including issues related to inheritance, gender roles, and family dispute resolution mechanisms.[20]

The theory of legal pluralism facilitates the examination of the mechanisms through which local law is reproduced and transformed via customary institutions, domestic environments, and ritual practices. Within this theoretical framework, a community's legal identity is characterized as hybrid, fluid, and context-dependent, influenced by social dynamics, power relations, and the collective memory of the community. [21] Legal pluralism denotes the coexistence of multiple legal systems within the same social context, as exemplified in Indonesia, particularly among indigenous communities practicing Islam, where state law, religious law, and customary law interact and coexist. This theory fundamentally challenges the notion of legal centralism, which posits that law is solely a product of the state, and instead underscores that individuals frequently engage with non-state legal systems that resonate more closely with local values and community requirements in their daily lives.[22] Consequently, this approach offers a more nuanced and comprehensive understanding of family law, particularly in the context of marriage practices, which

14   John Griffiths, 'What Is Legal Pluralism?', *The Journal of Legal Pluralism and Unofficial Law* 18, no. 24 (January 1986): 1–55.
15   Sally Falk Moore, *Law as Process: An Anthropological Approach* (London: Routledge, 1978).
16   Franz Von Benda-Beckmann, 'Who's Afraid of Legal Pluralism?', *The Journal of Legal Pluralism and Unofficial Law* 34, no. 47 (January 2002): 37–82.
17   See, Ratno Lukito, *Pergumulan Antara Hukum Islam Dan Adat Di Indonesia* (Netherlands: INIS, 1998).
18   Susilo and Safitri, 'Convergence of Customary, Islamic and State Law in Sasak Community Marriages'.
19   Maarten Manse, 'The Plural Legacies of Legal Pluralism: Local Practices and Contestations of Customary Law in Late Colonial Indonesia', *Legal Pluralism and Critical Social Analysis* 56, no. 3 (September 2024): 328–48; Keebet Von Benda-Beckmann and Bertram Turner, 'Legal Pluralism, Social Theory, and the State', *The Journal of Legal Pluralism and Unofficial Law* 50, no. 3 (2 September 2018): 255–74.
20   See, Fernanda Pirie, 'Beyond Pluralism: A Descriptive Approach to Non-State Law', *Jurisprudence* 14, no. 1 (2 January 2023): 1–21.
21   See, Elsje Bonthuys, 'Pluralist Marriage Laws in a Former Colonial System: Cultural Authenticity or Hybridisation?', *International Journal of Law, Policy and the Family* 34, no. 1 (1 April 2020): 84–104.
22   Elsje Bonthuys, 'Legal Pluralism in South Africa: The Implications of Co-Existing Customary and Civil Marriages', *Legal Pluralism and Critical Social Analysis*, 26 July 2024, 1–21.

cannot be adequately interpreted solely through the frameworks of state law or a singular interpretation of religious law.

In the realm of marriage, customary family law encompasses norms and mechanisms that have been transmitted across generations and are deeply ingrained within the social fabric. This is evident through practices such as customary dowries, various forms of family agreements, and community-based divorce procedures. Conversely, Islamic law offers a normative framework that is rooted in the Qur'an, Hadith, and *fiqh*, which have been further institutionalized through state legislation, particularly as articulated in Law No. 1 of 1974 concerning Marriage and the jurisdiction of religious courts. The approach of legal pluralism facilitates an examination of the role of local institutions—such as *saniri negeri*, *adat institution*, or *soa*—as mediators between customary and Islamic norms.[23] This perspective also elucidates how communities navigate the pressures of legal homogenization imposed by the state or the Islamic purification movement.

Adat-Islamic Hybridity in the Moluccas

The Moluccas Islands are regarded by certain scholars as a region with a significant connection to the megalithic traditions introduced by Austronesian speakers.[24] One notable aspect of this connection is evident in the religious systems prevalent in the area, particularly animism and ancestor worship. These beliefs systems are deeply rooted and widely practiced, with origins tracing back to ancient times and are specifically influenced by the migration and cultural dissemination of Austronesian peoples.[25]

According to Mirabal et al.,[26] the Austronesian language family has its origins in Taiwan. This "out of Taiwan" hypothesis has received further endorsement from Macdonald et al.[27] findings. Both researches propose a six-phase model of Austronesian migration. The first phase involves prehistoric agriculturalists migrating from China to Taiwan between 5000 and 4000 BC. These initial settlers did not speak an Austronesian language; rather, the language developed over time following their settlement on the island. The second phase encompasses migration from Taiwan to the Philippines, occurring from 4000 to 3000 BC, during which Proto-Malayo-Polynesian emerged. The third phase involves further migration from the Philippines between 3500 BC and just prior to 2000 BC, which facilitated the southward and southeastward movement to Kalimantan, Sulawesi, and North Moluccas. The fourth phase, occurring around 3000 or 2000 BC, saw migration from Moluccas extending east and south, extending to Nusa Tenggara and the northern coast of West Papua. By this time, Austronesians had established a presence in

23 Pieter Soselisa, Rugayah Alhamid, and Ivonny Rahanra, 'The Implementation of Good Governance by the Local Government in the Management of Sasi in Morella Village, Leihitu Subdistrict, Central Maluku District', *Journal of Governance* 9, no. 1 (18 March 2024): 29–41.

24 Rintaro Ono et al., 'Early Metal Age Interactions in Island Southeast Asia and Oceania: Jar Burials from Aru Manara, Northern Moluccas', *Antiquity* 92, no. 364 (August 2018): 1023–39.

25 Peter Belwood, *Prasejarah Kepulauan Indo-Malaysia* (Jakarta: Gramedia Pustaka Utama, 2000), 205–29.

26 Sheyla Mirabal et al., 'Ascertaining the Role of Taiwan as a Source for the Austronesian Expansion', *American Journal of Physical Anthropology* 150, no. 4 (April 2013): 551–64.

27 Joshua C. Macdonald et al., 'Cultural Transmission, Networks, and Clusters among Austronesian-Speaking Peoples', *Evolutionary Human Sciences* 6 (2024): 1-20.

Borneo Island, with some groups continuing westward into Java and Sumatra. The fifth phase is characterized by migration from Papua to the west around 2500 BC and eastward to Oceania around 2000 or 1500 BC. Finally, the sixth phase, around 500 BC, involved Austronesians from Java and Sumatra migrating to the Malay peninsula and Vietnam, while concurrently, some Austronesians from Borneo ventured westward to Madagascar.

The migration phases indicate that the Austronesian individuals were the primary migrants to Eastern Indonesia, subsequently extending their movement to the Pacific Islands around 1500 BC.[28] The shared geographical regions traversed during this migration have resulted in notable similarities in traditions and cultural practices. An examination of the culture heritage of Eastern Indonesia, especially in Moluccas, can be effectively conducted by analyzing the cultural attributes of the Pacific Islander populations. The cultural connections of the Austronesian peoples within the Pacific Islander communities are more thoroughly documented compared to analogous instances in Indonesia. This disparity in documentation can be attributed to the fact that, until the 18th and 19th centuries AD, Pacific communities experienced minimal foreign influence, with their interactions primarily limited to brief encounters with traders, occasional shipwrecked sailors, and sporadic European expeditions.[29] The traditions and cultural practices observed among Pacific Islander societies, as noted by Andaya,[30] can serve as valuable resources for understanding and interpreting the customs and attitudes of the Moluccan inhibitions.

In the Southeast Asian region, various Austronesian traditions are actively evolving, including the veneration of highlands as sacred sites, ancestor worship, secondary burial practices utilizing vases or sarcophagi, and the belief in binary myths that juxtapose elements such as mountains and seas, darkness and light, upper and lower realms, as well as male and female, and avian and aquatic beings.[31] In Moluccas, these practices are readily observable, particularly ancestor worship. Bartels,[32] notes that the belief system of the Moluccan society, referred to as *Agama Nunusaku*, is fundamentally rooted in ancestor veneration. Their conceptualization of the divine and the significance of ancestral spirits in everyday life is articulated through idiomatic expressions that reference the First and Second Gods, as well as the *tete nenek moyang* (ancestors). This is evident in their traditional rituals, which consistently commence with prayers, followed by ceremonial observances wherein each component—such as promises, bonds, curses, and laws—engages the spirits of

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[28]   Kathryn Wellen, 'Families in Austronesian Expansion', *Journal of Family History* 44, no. 3 (July 2019): 239–53.

[29]   Wuri Handoko, 'The Continuity of Austronesian Tradition on Islamic and Early Colonial Period in Maluku', in *Austronesian Diaspora: A New Perspective* (The International Symposium on Diaspora Austronesian, Bali: Puslit Arkenas, 2016).

[30]   Leonard Y Andaya, *Dunia Maluku. Indonesia Timur Pada Zaman Modern Awal* (Yogyakarta: Ombak, 2015), 17.

[31]   D. G. E. Hall, *Sejarah Asia Tenggara*, trans. I. P Soewarsha and M. Habib Mustopo (Surabaya: Usaha Nasional, 1988), 9.

[32]   Dieter Bartels, 'Guarding the Invisible Mountain: Inter-Village Alliances, Religious Syncretism, and Ethnic Identity among Ambonese Christians and Moslems in the Moluccas' (Dissertation, Ithaca, Cornell University, 1977), 316.

their ancestors.[33] In Negeri Morella, evidence of the religious practices of the Austronesian population is manifested in the presence of the tombs of KH Tuan Guru Ali Marasabessy on the Kailolo Hill (see Figure 1), which are regarded as a protective symbol by the local community.[34] The notion of *wali* (saint) emerged concurrently with the introduction of Islam in the Moluccas region.

Figure 1. The burial sites of KH Tuan Guru Ali Marasabessy and the surrounding areas leading towards the hills

Source: Courtesy Photograph of Dandung and Isnanto, 2024.

According to historical accounts, Islam was introduced to the Moluccas region as early as the 8th century AD.[35] This information is derived from oral traditions of the inhabitants of Negeri Kaitetu, a territory governed by the Hitu Kingdom.[36] It is noted that the initial arrival of Islam in the Hitu Peninsula, specifically at Wawane Hill, coincided with the presence of a notable figure known as "Tuni Ulama".[37] The spread of Islam was subsequently facilitated through trade interactions between the Maluccan populace and the Middle East. During this period, the propagation of Islam was significantly influenced by an institution in the Land of Hitu known as Upu Hata, which was later renamed Empat Perdana in the 15th century AD following the arrival of Jamilu, the son of Jailolo.[38] The establishment of Islamic Kingdoms in Moluccas, including the Hitu Kingdom, further contributed to the advancement of Islam, positioning it as a central hub of Islamic civilization within the Moluccas

[33]   Zoltán Szombathy, 'A Trust from the Ancestors: Islamic Ethics and Local Tradition in a Syncretistic Ritual in East-Central Sulawesi', *Die Welt Des Islams* 61, no. 4 (22 April 2021): 448–74.

[34]   Interview with LG4, May 23, 2024.

[35]   Timo Kaartinen, 'Islamic Transformations in the Periphery of Maluku, Indonesia', *Indonesia and the Malay World* 47, no. 138 (4 May 2019): 184–98; Hamzah Tualeka Zn, 'The History of Islam and Its Dissemination in Ambon-Lease, Maluku', *Journal of Indonesian Islam* 5, no. 2 (1 December 2011): 296–312.

[36]   Interview with TA2, May 13, 2024.

[37]   Wuri Handoko, 'Perniagaan Dan Islamisasi Di Wilayah Maluku', *Kalpataru Majalah Arkeologi* 22, no. 1 (n.d.): 1–16.

[38]   Wuri Handoko et al., 'Islamic Contextualization on the Periphery of the Indonesian Sultanates: An Exploration of Ancient Islamic Manuscript in Maluku Island', *Journal of Indonesian Islam* 18, no. 2 (1 December 2024): 319–48.

Islands.[39] In addition to Negeri Kaitetu, Negeri Morella is also recognized as part of the administrative domain of this kingdom. This is stated by an informant following in below.

> Morella is recognized as part of the administrative jurisdiction of the Hitu Kingdom, a fact that has been acknowledged by the local populace for generations. Both entities have played a significant role in the historical dissemination of Islam within the Moluccas area.[40]

The emergence of Islam in the Moluccas archipelago marks a significant chapter in its historical development,[41] particularly through its interaction with Austronesian culture. Two key aspects characterize the initial engagement between these two entities. Firstly, the role of coastal traders is paramount. The introduction and subsequent acceptance of Islam in the Moluccas region are closely linked to coastal trade activities.[42] This observation aligns with Reid's[43] assertion that the first groups in Southeast Asia to embrace Islam were coastal treaders. The coastal environment and trade networks played crucial role in facilitating the interaction between Islam and Austronesian culture, as the value system inherent Islam closely resemble those previously held by these traders.[44] The Islamic tradition of worshiping the unseen has contributed to its universal appeal and ease of adoption among coastal merchants.[45] Furthermore, the Islamic emphasis on reverence for ancestors, particularly for teachers and spiritual guides, resonates well with the existing ancestral veneration practices within the coastal communities of Moluccas. In this context, sufism plays a vital role, as it encompasses traditions that honor deceased ancestors and teachers, thereby facilitating the integration of Islamic beliefs with local customs.

Secondly, Islamic sufism played a significant role in the dissemination of Islam in Moluccas, alongside the activities of traders. The proliferation of sufi practices during this period notably influenced the local society, as evidenced by the incorporation of Arabic terminology and prayers into various spiritual practices. This includes the adoption of terms such as 'do'a', which has become the predominant term for invocations or blessings aimed at warding off malevolent spirits, effectively supplanting older terminology associated with indigenous traditions. The Arabic term 'ruh' or 'roh' (the plural form of 'arwah', meaning spirit) parallels the Austronesian concept of 'semangat', which denotes the essence of the soul or spirit.[46] Furthermore, graves were designed with Arabic terms that

39   Holger Warnk, 'The Coming of Islam and Moluccan-Malay Culture to New Guinea c.1500–1920', *Indonesia and the Malay World* 38, no. 110 (March 2010): 109–34.
40   Interview with TA1, May 23, 2024.
41   Bunyamin Marasabessy, 'Dawr Al-Sulṭān Zayn al-"Ābidīn Fī Nashr al-Islām Fī Sulṭānah al-Tarnātī Fī al-Qarn al-Rābī' 'Ashr al-Mīlādīyah', *Studia Islamika* 13, no. 3 (2006): 499–515.
42   Marian Klamer, 'The Dispersal of Austronesian Languages in Island South East Asia: Current Findings and Debates', *Language and Linguistics Compass* 13, no. 4 (April 2019): 1-26.
43   Anthony Reid, 'The Indian Dimension of Aceh and Sumatra History', *Journal of Maritime Studies and National Integration* 4, no. 2 (26 December 2020): 64–72.
44   Anthony Reid, 'Cultural Adaptation and Integration Islam in Southeast Asia', in *Southeast Asian Islam* (New Delhi: Routledge India, 2024), 22.
45   Peter V. Lape, 'Contact and Conflict in the Banda Islands, Eastern Indonesia, 11th–17th Centuries' (Dissertation, United States, Brown University, 2000), 151–59.
46   Ubaidillah Ubaidillah, 'Interpreting Ruh as An Ecological Spirituality in Relation to Islam and Java Mysticism', *El Harakah: Jurnal Budaya Islam* 23, no. 1 (16 June 2021): 139–56.

redefined their significance within an Islamic framework, such as 'keramat' (sacred grave), 'berkah' (spiritual power), and 'ziarah' (pilgrimage).[47] The practice of ziarah is particularly crucial in the interplay between Islam and local cultural traditions in Moluccas. Maltabarova[48] asserts that the phenomenon of ziarah exemplifies the success of sufism, or 'ṭarīqa', in integrating Islamic beliefs with local customs. The veneration of Islamic propagators or deceased saints, along with the associated burial preparations and purification rituals introduced by sufism, has fostered the tradition of sacred pilgrimage.

In addition to the incorporation of specific terminologies, the impact of sufism extends into material culture, particularly in the representation of places of worship, such as mosques. The mosque is often symbolically equated with mother earth, where its singular entrance is interpreted as the portal to her womb which people (see figure 2), through which individuals enter as sperm and emerge as fully formed human beings.[49] Furthermore, within one of the mosques located on Haruku Island, there exists an alif pole, which serves as a symbol of monotheism or masculinity.[50] The representation of the mosque as a synthesis of male and female elements exemplifies a productive interaction between Islamic principles and pre-historic cultural practices, particularly those associated with megalithic traditions. In these megalithic customs, the phallus, symbolizing masculinity, is also integrated into religious ideologies.[51] The interplay between Islam and indigenous culture intensified during the era when Islam was established as a dominant kingdom in Moluccas.

47   Pierre Fournie, 'Rediscovering the Walisongo, Indonesia: A Potential New Destination for International Pilgrimage', *International Journal of Religious Tourism and Pilgrimage* 7, no. 4 (2019): 77–86.

48   Makhabbad Maltabarova, 'Visiting a Sufi Shaykh: A Contemporary Experience of Religious Pilgrimage', *Teosofi: Jurnal Tasawuf Dan Pemikiran Islam* 12, no. 2 (1 December 2022): 167–86.

49   Dieter Bartels, *Di Bawah Naungan Gunung Nunusaku Muslim-Kristen Hidup Berdampingan Di Maluku Tengah* (Jakarta: Gramedia Pustaka Utama, 2017), 210–21.

50   Wuri Handoko, 'Sufisme Dan Sinkretisme Islam Di Wilayah Maluku', *Patanjala : Jurnal Penelitian Sejarah Dan Budaya* 4, no. 2 (1 June 2012): 183.

51   Lutfi Yondri, 'Rethinking About Megalithic Term In Indonesian Culture', in *Proceedings of the Proceedings of the Third International Seminar on Recent Language, Literature, and Local Culture Studies, BASA, 20-21 September 2019, Surakarta, Central Java, Indonesia* (Proceedings of the Third International Seminar on Recent Language, Literature, and Local Culture Studies, BASA, 20-21 September 2019, Surakarta, Central Java, Indonesia, Surakarta, Indonesia: EAI, 2020).

Figure 2. The symbol of mother earth is reflected in the *bedug* (classified as cylindrical drum) and imam's place

Source: Courtesy Photograph of Dandung, 2024.

The period characterized by the development of Islam and the emergence of various kingdoms marked a significant intensification of intersections between Islamic practices and local customs in Moluccas.[52] This intersection continues to be evident in contemporary practices. Notably, the *debus* ritual known as 'cakalele' exemplifies this fusion; it a traditional dance believed to confer immunity against weapons, which has been integrated with Islamic recitations. This tradition is prevalent in the regions of Negeri Rohohomoni, Pelauw, Kabau, and Kailolo on Haruku Island, Central Moluccas.[53] Additionally, the convergence of Islamic and indigenous customs is also observable in death-related traditions across several areas in Moluccas. These practices include commemorations of the deceased on specific days (3, 7, 40, and 100 days), which reflect the religious customs of the Austronesian peoples,[54] and are infused with Islamic prayers. In Negeri Pelauw, for instance, there exists a tradition of supernatural body relocation after the 100th day, accompanied by recitation of verses from the Qur'an.[55]

All in all, the blending of Islamic and local traditions is clearly seen in the circumcision customs and material culture of Negeri Rohomoni and Pelauw. The

[52] Ulath and Hasyim, 'The Relation Between Religion and Culture Within The 7th Shawwal Celebration in Morella, Central Molucca'; Warnk, 'The Coming of Islam and Moluccan-Malay Culture to New Guinea c.1500–1920'.
[53] Handoko et al., 'Islamic Contextualization on the Periphery of the Indonesian Sultanates'.
[54] Reid, 'Cultural Adaptation and Integration Islam in Southeast Asia'.
[55] Yance Z Rumaharu, 'Agama sebagai Fondasi Perkembangan Masyarakat dan Perubahan Sosial: Studi Kasus Orang Hatuhaha di Negeri Pelauw Maluku Tengah', *Harmoni: Jurnal Multikultural & Multireligius* 12, no. 1 (2013): 144–60.

Islamic directive for circumcision is integrated with local customs, as demonstrated by the practice of exiling the child to the clan house for seven days prior to the circumcision and the purification ritual involving dipping the child's feet in the sea.[56] This spirit of accommodation is also reflected in the celebration of the *maulid* of Prophet Muhammad in Negeri Pelauw, Kabauw, and Rohomoni. Locally referred to as Aroha Day, this celebration includes the tradition of cleaning sacred or ancestral graves, which are believed to signify the spread of Islam in the area.[57] Additionally, this fusion is evident in the material culture, particularly in the architectural style of mosques in the Hatuhaha region.[58] The mosque architecture incorporates Islamic elements, with the roof, or *ranggon*, featuring a three-tiered design inspired by the pre-Islamic (Hindu-Buddhist) concept of *meru*, which consists of nine layers and continues the multi-layered tradition of prehistoric megalithic structures.[59] This three-layered structure symbolizes the three stages of a Muslim's faith: belief, submission to Islam, and excellence (*ihsân*). The top of the roof, or *mustaka*, represents the concept of monotheism (*alif* pillar). The interaction between local customs and Islam in Maluku raises significant questions about how these two influences converge in more personal contexts, such as within families.

Intersection of *Adat* and Islamic Marriage Norms in Morella's Communities

Figure 3 presents an analysis of the familial structure in the Moluccan region, derived from fieldwork research. This structure is intricately linked to the kinship systems of the Austronesian population, wherein the roles of clans (*soa*) and subclans are fundamental in determining familial roles, inheritance practices, and marriage customs. The figure illustrates that the patrilineal lineage serves as the foundation of social organization, with male members retaining land rights and leadership positions within the clan. Upon marriage, women transition into their husband's clan, resulting in the loss of their natal land rights; however, they acquire new rights associated with their husband's lineage. Notably, in the absence of male descendants, women and their sons may inherit these rights, suggesting a degree of adaptability within the familial structure. This family model exemplifies the complex interaction between customary practices and Islamic principles, highlighting the convergence of *adat* and religion in shaping modern interpretations of family law and social identity within the region. Additional insights are elaborated upon by the authors in the following paragraph.

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[56] Handoko, 'Sufisme Dan Sinkretisme Islam Di Wilayah Maluku'.

[57] Sharon Michelle O. Pattiasina, 'Tiang Rohomoni: Memaknai Simbol Budaya Berbasis Agama Di Gedung Gereja Pniel, Tuhaha, Maluku', *Fikrah: Jurnal Ilmu Aqidah Dan Studi Keagamaan* 10, no. 2 (2022): 299–314.

[58] Alfan Firmanto, 'Masjid Kuno Di Pulau Haruku Propinsi Maluku (Kajian Sejarah, Bentuk Dan Fungsi)', *Jurnal Lektur Keagamaan* 14, no. 1 (30 June 2016): 1–28.

[59] Wuri Handoko et al., 'The Relationship of Islam and Locality in the Architecture of the Wapauwe Ancient Mosque in Maluku', *Journal of Islamic Architecture* 8, no. 1 (20 June 2024): 184–98.

Figure 3. Family Organization and Marriage Norms in Moluccan Societies
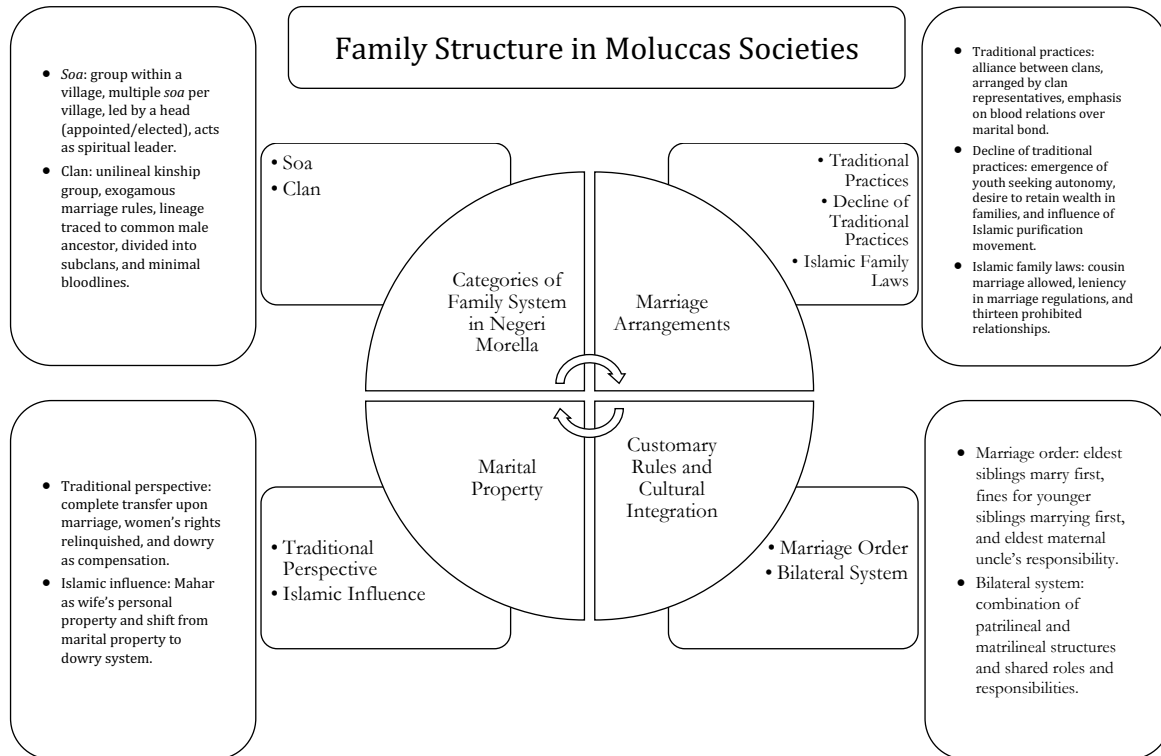
Source: Authors' elaboration, 2024.

The family serves as a fundamental unit closely tied to the social functions within Moluccan societies. In Negeri Morella, the family system is categorized into two inseparable groups: the *soa* and the clan. A *soa* is a group found within a single village, and a village may contain multiple *soa*. Each *soa* is led by a head, who may be appointed by the sub-district government or elected based on lineage. The heads of *soa* act as spiritual leaders for their respective groups. Beneath the *soa* lies a crucial unit in the customary family law of Maluku, known as the clan. A clan is defined as a unilineal kinship group that follows social rules permitting marriage only outside the group (exogamy). Clan members trace their lineage back to a common male ancestor. Over time, some clans have further divided into subclans referred to as *ruma*(*h*) tau (household) or *fam*, derived from the Dutch word 'familie' (Bartels, 2017).[60] These *fams* can be subdivided into middle lineage or *mata rumah* lineage. The house eyes are then divided into minimal bloodlines, known as the house ladder (in Malay) or 'rumah tangga' (Bartels, 2017). This represents the smallest unit within each clan, and these subdivisions play a role in marriage arrangements as well as in determining status and inheritance rights within the Morella community. This is confirmed by an informant statement in below.

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[60]   Bartels, *Di Bawah Naungan Gunung Nunusaku Muslim-Kristen Hidup Berdampingan Di Maluku Tengah*, 341.

In Morella's societies, leadership is provided by a *soa* who is appointed from the sub-district delegations. This leadership is often rooted in intergenerational clans, where the *soa* also serves as a spiritual leader for their respective groups or communities.[61]

In the traditional Moluccas society, marriage was viewed as a means of forming alliances between clans or groups, with individuals being used as tools to facilitate these connections. The arrangements for these marriages were typically made by clan representatives, with minimal input from the bride and groom. This practice aimed to maintain the purity of the bloodline, placing greater importance on blood relations (consanguinity) than on the marital bond (conjugality). Marriages were primarily considered in terms of political and social status needs. This tradition persisted into the era of the Islamic Kingdom in Maluku, where noble Muslim marriages were also arranged by clans. However, this practice began to decline with the emergence of the first generation of young people in exile in the Netherlands, who sought to have children, leading to a weakening of the traditional rules. Additionally, there was a growing desire to keep wealth within the same family. This economic motivation was further reinforced by the Islamic purification movement initiated by Muhammadiyah in the early 20th century, which lifted the ban on cousin marriages (for instance, between a man and his aunt's or uncle's daughter). In Maluku culture, cousins are regarded as siblings, and there are customary restrictions on sexual relations and marriage that extend to third-degree cousins (beyond clan exogamy). While exogamy rules prohibit marriage, they do not restrict sexual relations among family members, aiming to minimize jealousy and competition within the family.

The regulations governing marriage within extended families exhibit a degree of leniency compared to traditional customs. According to Sūrat 4:23, there are thirteen categories of women with whom marriage is prohibited due to familial relationship. These categories include: (1) mothers, (2) daughters, (3) sisters, (4) paternal and maternal aunts, (5) nieces from brother's, (6) nieces from sisters, (7) foster mothers, (8) foster sisters, (9) mothers-in-law, (10) stepdaughters under guardianship if the marriage with their mothers has been consummated —though marriage is permissible if it has not been consummated—(11) wives of one's own sons, (12) two sisters simultaneously, and (13) exceptions for prior arrangements. This framework suggests that while traditional customs may impose restrictions on cousin marriages, Islamic law allow for such union, thereby diminishing the significance of traditional prohibitions against cousin marriages.

Islamic principles have influenced certain customary rules within the local marriage system that have affected the Morella communities. Firstly, there is a tradition that prioritizes the marriage of older siblings over younger ones. The eldest brother (*bung*) and eldest sister (*usi*) must marry before their younger siblings, indicating that marriage is determined by age order. Failing to adhere to this rule incurs a penalty; for instance, if a younger brother wishes to marry before his older brother, the family of the prospective bride must pay a fine to the younger brother's family. Similarly, if a younger sister wants to marry before her older siblings, the family of her future husband must pay a fine to her. Additionally, the

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[61]   Interview with RL1, May 18, 2024.

eldest maternal uncle holds a special responsibility for his nieces and nephews until they marry. The patrilineal system, reinforced by Islamic teachings, interacts with the existing matrilineal system in the Moluccan. An example of this interaction is necessity to honor the patriclan of the giver as well as the maternal clan of the mother and other clans connected through marriage.[62] As mentioned by an informant statement in below.

> The Moluccas community has commonly started to adopt a bilateral system, which combines both patrilineal and matrilineal structures within our social and customary frameworks. In our village (Negeri Morella), this bilateral approach is evident in how roles and responsibilities are shared between men and women in families and customary practices. While lineage is primarily traced through the father's side (patrilineal), the mother's side (matrilineal) is increasingly acknowledged, particularly regarding the inheritance of cultural values, decision-making in households, and the execution of specific customary rituals. Additionally, the regulations surrounding customary marriages have been modified. The types of customary marriages in Morella have also been shaped by the Islamic purification movement that has emerged in Moluccas. This movement encourages the community to harmonize customary practices with religious teachings, leading to a marriage process that considers not only kinship and social status but also the alignment of customary rituals with Islamic principles.[63]

Table 1 delineates five distinct forms of customary marriages within Moluccan society, which are shaped by the interplay of *adat* and Islamic marriage norms that manifest in Moluccan ceremonial practices. These forms are predominantly observed in traditional weddings across Moluccan communities. Notably, the practice of *kawin kamar koi* (confinement) persists within the Morella communities, despite its decline in intergenerational local traditions. This particular custom serves as a means to ascertain the virginity of the bride by examining for blood stains on white bed sheets following the wedding night. However, such local customs have largely fallen into disuse, as they are deemed incompatible with Islamic values.

Table 1. Categories of Indigenous Marriage Practices in the Moluccas

No.	The types of Moluccan customary marriages	Explanations
1.	*Kawin masuk minta* (marriage on request)	This is a type of local marriage system where the male (fiancé) enters the female's family (fiancée) to seek permission or assurance from her parents, incorporating specific ceremonial and cultural traditions. Additionally, it serves as a formal occasion to visit the residence of the bride-to-be's parents in order to request their consent for their child's hand in marriage.
2.	*Lari bini* (elopement)	This marriage system involves a male who elopes with his fiancée, resulting in a union that is typically sanctioned by familial agreement. However, the celebration of the marriage occurs without prior notification to the bride's parents. This practice is not solely a criminal act; rather, it is embedded within a customary framework that facilitates a process of resolution within the community.

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62   Dortje Leonora Yokbeth Lopulalan, Selvianus Salakay, and Makmur Harun, 'The Synergy Between Islam and The Local Culture of Maluku, Indonesia', *IBDA': Jurnal Kajian Islam Dan Budaya* 22, no. 1 (6 April 2024): 103–22.
63   Interview with RL2, May 15, 2024.

3.	*Perkawinan dalam satu fam* (in-house marriage or matrilocal marriage)	This phenomenon is characterized as marriage rituals occurring within a single family or clan, representing a form of marriage that is prohibited by traditional kinship norms in the Moluccan context. This type of marriage is distinguished by the groom's entry into the residence of his wife's parents, resulting in their offspring being affiliated with the groom's maternal lineage.
4.	*Kawin piara* (marriage based on an engagement before the birth of a child)	This is a type of matrimonial arrangement in which a girl is reared or "promised to a man from an early age" by the family of the prospective groom. The underlying objective of this practice is that, upon reaching adulthood, the girl will enter into marriage with a male member of the family that has nurtured her.
5.	*Kawin kamar koi* (confinement)	*Kawin kamar koi* denotes a marital arrangement wherein the husband resides within the household of his wife's family, as opposed to the traditional practice of the wife moving into the husband's family home. From an anthropological perspective, this arrangement is frequently linked to matrilocal or uxorilocal residence patterns, which are characterized by post-marital living arrangements where couples cohabit with or in proximity to the wife's family.

Source: Authors' elaboration, 2025.

In the context of inter-clan marriages, specific regulations govern the complete transfer of marital property to the woman. However, this transfer is accompanied by a relinquishment of women's rights upon their departure from their natal clan to join their husband's clan, which encompasses rights related to authority, sexual obligations, and inheritance. Bartels[64] posits that the dowry serves as compensation for families that lose a productive member due to marriage. The implications of this marital property extend significantly within the Moluccan community, influencing aspects such as social status, inheritance of status, land utilization, and land inheritance. Conversely, as Islamic teachings gained prominence, the concept of marital property began to fade, being supplanted by the term *mahar* or dowry. Unlike marital property, such as *mahar* or *mas kawin*, is designated as the personal property of the wife, with no rights of ownership or usage granted to others, including parents, guardians, or husbands, without the wife's consent.[65] Consequently, traditional marriage ceremonies have increasingly integrated Islamic values. For instance, in Paperu (Saparua Island), a golden bracelet shaped like a snake, which forms part of the marriage treasure, symbolizes the serpent from the garden of paradise that deceived Eve into committing the first human sin. Initially, this gold bracelet represented a substitute for the female body.

> A notable illustration of the impact of clans and subclans on family law is evident in the domain of land rights, which are typically inherited through the paternal lineage. Upon marriage, a woman forfeits her entitlements to her family's land, while simultaneously acquiring land rights associated with her husband's clan. Conversely, men maintain their land rights irrespective of their marital status.

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[64]　Bartels, *Di Bawah Naungan Gunung Nunusaku Muslim-Kristen Hidup Berdampingan Di Maluku Tengah*, 136.
[65]　Ahmad Azharuddin Latief, *Pengantar Fikih* (Jakarta: Pusat Studi Wanita (PSW) UIN Syarif Hidayatullah, 2005), 216.

Nevertheless, in situations where there are no male heirs, land rights may be transferred to the woman and her son.[66]

The inheritance law in Moluccas exhibits distinctive characteristics due to the evolution of the hereditary system within the society. Historically, the lineage system among the Maluku people was predominantly matrilineal, reflecting a cultural reverence for women. This respect is further manifested in inter-clan marriage dynamics, where the clan that provides a wife is regarded as superior to the clan that receives her. The receiving clan, known as Kailolo, is expected to honor and respect the giving clan, referred to as *malamait* or *malamet*, stemming from a sense of obligation for having accepted a wife.

The Challenges of Integrating Islamic Jurisprudence into *Adat* Structures

Drawing from fieldwork research, the authors have identified three distinct phases in the evolution of the independence of Islamic traditions and values from the cultural practices of the Moluccan people. The initial phase is characterized by a complete integration of these traditions. A pertinent illustration of this phenomenon is found in the narrative from Kampung Tua Kao in North Halmahera. According to the local oral tradition,[67] upon his arrival, the Islamic missionary from Baghdad, known locally as Buqudad, Sheikh Mansyur, consented to consume pork, a stipulation set forth by the local princess as a condition for their marriage.[68] This phase is further exemplified by the adoption of exogamous marriage practices during the period of the Islamic Kingdoms.

Secondly, the concept of accommodation is exemplified through the reverence for ancestors. This practice, which has deep religious roots in Maluku, is preserved through rituals that reinforce familial bonds, particularly on *haruku* Island. During these rituals, each clan organizes its own celebration within their *rumah pusaka* (ancestral home). Members spanning four generations convene, symbolizing continuity through the contributions of food and monetary gifts from grandchildren and great-grandchildren. The invocation of ancestors to participate in the gathering, along with the inclusion of families connected by marriage, further emphasizes this communal spirit. This annual reunion fortifies familial connections, symbolically illustrated when all the women collectively proceed to the river to wash rice. Each clan presents its own agarwood incense, each characterized by a unique fragrance. The blending of these aromas signifies unity and serves as an offering to the ancestors.[69] Furthermore, this accommodating attitude is reflected in the decorative

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[66]   Interview with TA3, May 19, 2024.

[67]   Interview with RL1, May 18, 2024.

[68]   Wuri Handoko and Muhammad Al Mujabuddawat, 'Situs Kampung Tua Kao: Identitas Asal Usul Dan Jejak Peradaban Islam Di Wilayah Pedalaman Halmahera Utara', *Jurnal Pendidikan Dan Kebudayaan* 2, no. 2 (22 December 2017): 150–65.

[69]   Dieter Bartels, 'The Evolution of God in the Spice Islands: The Converging and Diverging of Protestant Christianity and Islam in the Colonial and Post-Colonial Periods', in *Christianity in Indonesia* (Perspectives of Power, Frankfurt: Johann Wolfgang Goethe-University, 2003).

elements of the tomb of the king of Ternate and his family. As noted by Ambary,[70] the tomb features distinctive floral motifs that exhibit influences from Austronesian culture. This accommodating perspective is also evident in the inheritance and marriage customs of the Morella community, as indicated by an informant.

> An attitude of accommodation represents the most rational approach in the interaction between these two aspects of the legal system. This is attributable to the robust traditional values prevalent in Maluku, particularly in Morella. The resilience of these values is significantly influenced by the presence of *soa* (kinship groups), which play a crucial role in the propagation of traditional values through their involvement in cultural festivals organized by customary institutions. This process of transmission is facilitated not only through familial and ritualistic practices but also by local community learning institutions that integrate informal education into their cultural preservation efforts. As a result, informal education emerges as an essential mechanism for ensuring the intergenerational continuity of the cultural heritage of Indigenous peoples in Morella.[71]

This period encountered significant challenges with the advent of the purification movement in Central Maluku, which was initiated by Muhammadiyah in the 1930s. Bartels[72] notes that one of the primary objectives of this movement was to purify Islam by critiquing the tradition of ancestor veneration. Muhammadiyah deemed such practices as superstitious and incompatible with Islamic teachings. A notable instance of this critique was the opposition to the Aroha tradition, which involved honoring ancestors during the celebration of the Prophet Muhammad's birthday (*maulid*). This opposition resulted in a deterioration of the relationship between religious practices and local customs. The rift was exacerbated by the expulsion of a Muhammadiyah educator from Java, who was forced to leave a prominent mosque in Ambon City, an incident that ultimately led to casualties.[73] These tensions further manifested as a conflict between reformist and traditionalist interpretations of Islam. The core issue at the heart of this conflict lies in the perception that Islamic practices within the community have become intertwined with other belief systems, resulting in a form of heterodoxy. The term "heterodoxy", which refers to the blending or mixing of different religious beliefs, is derived from the Greek verb *sunkerannumi/synkerannumi*, meaning "to mix together". This concept was historically employed by Protestant theologians in the 16th and 17th centuries to describe efforts aimed at reconciling various doctrines and sects within Christianity.[74]

Disputes between reformist and traditionalist factions within Islam have the potential to generate internal tensions. Orthodox Muslims may find themselves at odds with syncretic Muslims, as evidenced by the situation in Maluku. Various strategies have been proposed to address this issue, including governmental intervention. In the Maluku context, one proposed resolution involves relocating progressive groups and establishing distinct settlements. However, this approach has, in some instances, led to increased segregation among communities. An

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70   Hasan Muarif Ambary, *Menemukan Peradaban Arkeologi Dan Islam Di Indonesia* (Jakarta: Logos Wacana Ilmu, 1998), 73.
71   Interview with LG2, May 12, 2024.
72   Bartels, *Di Bawah Naungan Gunung Nunusaku Muslim-Kristen Hidup Berdampingan Di Maluku Tengah*, 245–48.
73   Interview with RL3, May 17, 2024.
74   William L Reese, *Dictionary of Philosophy and Religion* (New York: Humanities Press, 1996), 215.

alternative solution is the promotion of mutual respect, as illustrated by the dynamics in Lombok, where friction exists between the orthodox traditionalists of *waktu telu* and *waktu lima*, particularly regarding musical practices.[75] While *waktu telu* adheres to customary rituals, *waktu lima* opposes these practices, advocating for a separation of religious and cultural traditions. Notably, there is no coercive enforcement between the two groups, allowing for coexistence.[76] Furthermore, this theme of coexistence is also explored in Minako Sakai's research on syncretic Muslim communities in Gumay, South Sulawesi.[77]

The emergence of a third option presents a range of challenges, particularly concerning issues of dominance, within the dualistic framework inherent in the religious traditions of the Austronesian peoples. This framework acknowledges the equal significance and functional interdependence of both masculine and feminine elements, especially in the realm of spiritual and religious practices. Women play vital roles in ritual activities, often serving as key intermediaries between the human and spiritual domains. However, the introduction of Islam has led to a marked reduction in the visibility and influence of women in religious contexts, as Islamic traditions generally emphasize male leadership in spiritual matters. Reid[78] notes that this transition may result in the marginalization of women who previously held central roles in ritual and spiritual life, due to their unique skills and experiences. As a result, the shift to a new religious paradigm not only provoked theological and cultural conflicts but also restructured the social and spiritual hierarchy, relegating women to a more peripheral status than they had traditionally occupied.

These challenges possess the capacity to engender protracted conflicts. In response to these issues, the Morella community established three local customary institutions: *upu lalu*, *kasisi*, and *saniri negeri*. *Upu lalu* serves as the clan leader, representing the community in decision-making processes, a role referred to as regen in *adat*, which is associated with the *raja* or *pati*. The *kasisi* comprises religious leaders, including imams (leaders of mosques), *khatibs* (preachers), and modins (village religious officials), with the primary objective of promoting spiritual and social cohesion. The *saniri negeri* functions as the paramount consultative assembly, incorporating *upu lalu*, *saniri raja pati*, and traditional elders. This body is tasked with the formulation of policies that govern various aspects of life—social, political, and economic—within the Morella community. The efficacy of this institution is evidenced by the statements provided by an informant below.

75   See, Arif Sugitanata and Muhammad Lutfi Hakim, 'The Domination of Customary Law in Muslim Matrimonial Procedures: Prohibiting Khiṭbah in the Sade Muslim Community', *Al-Ahwal: Jurnal Hukum Keluarga Islam* 16, no. 2 (30 December 2023): 302–19.

76   David Harnish and Anne Rasmussen, 'Tensions between Adat (Custom) and Agama (Religion) in the Music of Lombok', in *Divine Inspirations* (London: Oxford University Press, 2011).

77   Minako Sakai, 'Still Remembering the Origins: The Continuity of Syncretic Islamic Practice among the Gumay (Gumai) in South Sumatra, Indonesia', *Indonesia and the Malay World* 45, no. 131 (2 January 2017): 44–65.

78   Anthony Reid, 'Continuity and Change in the Austronesian Transition to Islam and Christianity', in *The Austronesians: Historical and Comparative Perspectives* (Canberra: Australian National University, 1995), 337–38.

The *saniri negeri* institution was instrumental in mediating conflicts between tribes or clans through the implementation of the *basudara* concept.[79]

An illustration of the role of this institution within the marital dynamics of the Morella community is encapsulated in the principle of *atur hena hisai hidupe*. This principle signifies a familial support framework, which posits that newly married couples are expected to attain independence within a three-month period following their cohabitation with their parents. Traditional institutions, notably through the *upu lalu*, play a crucial role in orchestrating community support through collaborative efforts aimed at providing housing for newlyweds. This aligns with the assertion made by the informant, which stated:

It is anticipated that a newly married couple will establish their own residence following an initial three-month cohabitation with their parents. The traditional institution, exemplified by *Upu Lalu*, facilitates community support in the construction of a home for the newlyweds through collective endeavors.[80]

In addition to the existence of formal institutions designed to mediate potential conflicts, the Morella community adheres to enduring traditional values that effectively promote social harmony. Among these values, the principles of *pela* and *gandong* are particularly significant in addressing tensions that may arise between customary law and Islamic law. *Pela* embodies a traditional alliance system that facilitates reconciliation and fosters mutual understanding in the resolution of disputes, especially those involving power dynamics among different regions. Conversely, *gandong*, which translates to "one womb", signifies a profound sense of kinship and solidarity, highlighting the importance of mutual support among clans or tribes as if they were connected by familial bonds. Additionally, the principle of *potong di kuku rasa di daging*—translated as "a cut in the nail is felt in the flesh"— also referred to as *masohi*, emphasizes a deep spirit of collective unity and cooperation that transcends tribal, familial, and religious divisions, thereby reinforcing a culture of mutual assistance and communal responsibility.

Concluding Remarks

The interaction between indigenous Austronesian traditions and Islam in the Moluccas Islands exemplifies a profound and distinctive process of acculturation that continues to influence the religious and cultural identity of the local community. Megalithic customs, including ancestor veneration, the utilization of natural symbols such as mountains and seas, and sacred practices like pilgrimage, purification, and secondary burials, have been preserved while simultaneously being integrated into the Islamic principle, especially through the influence of Sufism. Rather than imposing itself as a dominant force that supplanted existing beliefs, Islam emerged as a faith that was assimilated through coastal trade routes and spiritual practices that resonate with local traditions. The distinctiveness of Moluccas is reflected in cultural material symbols, such as mosques that embody the concepts of mother earth and monotheism, as well as rituals like *cakalele* and circumcision, which are conducted within the context of local customs. The

[79] Interview with LG1, May 15, 2024.
[80] Interview with LG3, May 22, 2024.

observance of commemorative practices on the 3ʳᵈ, 7ᵗʰ, 40ᵗʰ, and 100ᵗʰ days following a death, alongside the pilgrimage and the cleaning of ancestral graves during the celebration of the Prophet's Birthday (*maulid*), serves as compelling evidence with Islamic values in the lives of the Moluccan populace.

The marriage and kinship model in Negeri Morella, Maluku, exemplifies a complex interplay between customary law and Islamic principles, resulting in a distinctive socio-legal structure that is subject to ongoing transformation. At the core of this system are the *soa* and clans, which are characterized by a structured interrelation of leadership, spiritual responsibilities, and lineage, all of which are intricately connected to social and legal obligations. Traditionally, marriages served as strategic alliances between clans, arranged to maintain blood purity, social standing, and inheritance rights. Various practices, including *kawin piara* (engagement prior to birth), *lari bini* (elopement), and *kawin kamar koi* (matrilocal confinement marriage), exemplify the complexity and diversity of customary marriage forms, some of which have been influenced or altered by Islamic teachings. The Islamic purification movement and migration experiences have played a significant role in reshaping marriage norms, incorporating aspects such as the acceptance of cousin marriages and the transformation of dowry from communal marital property to *mahar*, which is regarded as the wife's personal asset. A particularly noteworthy aspect of current research is the dynamic legal hybridization present in this context: while traditional customs prioritize collective kinship, land inheritance, and marriage as contracts based on clan affiliation, Islamic law emphasizes individual rights and gender-specific inheritance. This results in a plural legal system where bilateral lineage, shifting authority, and symbolic rituals continuously negotiate their relevance and legitimacy. The interaction between *adat* and Islam not only highlights the legal pluralism inherent in Morella society but also emphasizes the tensions and accommodations that influence identity, gender roles, and property rights within postcolonial and post-Islamization contexts.

This research examines the shifting interplay between Islamic principles and indigenous Moluccan traditions, delineating three distinct phases: integration, accommodation, and contestation. In the initial phase, Islamic teachings were thoroughly incorporated into local customs, as illustrated by narratives of religious figures such as Sheikh Mansyur, who adapted to regional norms. This phase transitioned into one of accommodation, wherein Islamic practices coexisted alongside ancestral veneration and kinship-based rituals, particularly observable in the ancestral gatherings on Haruku Island. However, the emergence of the Islamic purification movement, spearheaded by Muhammadiyah, represented a pivotal moment, as it critiqued local customs such as ancestor veneration as incompatible with Islamic tenets, thereby generating tensions between reformist and traditionalist perspectives. The enforcement of orthodox Islamic values resulted in the marginalization of women's traditional spiritual roles and fostered internal divisions that, in certain instances, led to proposals for spatial segregation. In response, communities such as Morella have established hybrid governance structures—namely *upu lalu*, *kasisi*, and *saniri negeri*—that serve as intermediaries between customary law and religious law. These structures are further supported by local philosophies such as *pela*, *gandong*, and *masohi*, which advocate for social

cohesion and inter-clan solidarity. A notable focus in contemporary issue is the examination of how these indigenous frameworks provide resilient, locally rooted alternatives for navigating the tensions between orthodoxy and heterodoxy, thereby underscoring the agency of local institutions in reconciling conflicting normative systems while maintaining community integrity.

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