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A Study of Ethnolinguistics:
Hadih Maja as the Projection of Islamic Law and Education
on Local Law (*Hukum Adat*) in Aceh

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Abstract

The study aims to find out how this *Hadih Majah* can be the projection of Islamic law on local law in Aceh and several more other *Hadih Majah* that contain Islamic teachings as the projection of Islamic education on customs in Acehnese society. While Ethnolinguistics, one of macro studies in Linguistics to investigate the relationship between language and culture and to see that language and culture related to each other and how language can be the means to express and project the culture, in this case through *Hadih Maja*. *Hadih Maja* is as the production of language, interestingly shows the culture and the way of life of Acehnese people that embrace Islamic teaching and law. Aceh is often identified with Islam, Aceh was under the reign of Islamic kingdom Aceh Darussalam. Aceh and Islam cannot be separated.

Keywords: Ethnolinguistics, *Hadih Maja*, Islamic Law and Education

Introduction

Adat ngen Hukom lagee Zat ngen Sifeut (Islamic Law and custom must not be separated, resembling the substance and its nature), Language and culture cannot be separated whether they are reflected on written or spoken form in every human life activity. Even when people touch the discussion area on law, no matter what it is based on, civil, common, customary or local law, they will automatically bring the reflection of a solid marriage between language and culture. Law is a result of the way of thinking of people which is the part of culture to see a case by considering many factors including religious and social background and represented through language then it can be understood, transferred, spread, and applied in practical life. Language is the essential part of human life, the communication means to express each idea that human's mind has.

Customs, as one projection of culture, become habits which are passed down from generation to generation and also the legal basis for the community itself. Similarly, for the people of Aceh, customs has been entrenched as a result of the birth of the system of civilized society together with the regulations or local law which binds the people in it that is able to survive till today.

Interestingly, the customs and the local law in Aceh are in line with Islamic law and education. Aceh is often identified with Islam. *Seuramoe Meukah/Serambi Mekah* is how this province always called. The granting of special rights to apply Islamic law in Aceh is the other proof that shows Aceh and Islam cannot be separated.

Islamic law and education are also projected in many of *Hadih Maja*, the proverbs of Acehnese people. *Hadih Maja*, as the production of language, interestingly shows the

culture and the way of life of Acehnese people that embrace Islamic teaching and law. It can be seen in most of the themes of *Hadih Maja*.

There is one of *Hadih Maja* that is very famous and still applied in Acehnese society till today that attracted the writer's attention to analyze it more. It is: "*Adat bak poeteu Meureuhom, hukom bak Syiah Kuala, Qanun bak Putroe Phahang, Reusam bak Laksamana, Adat ngen Hukom lagee Zat ngen Sifeut.*" This *Hadih Majah* really projects the customary and local law in Aceh that embraced by Islam.

Therefore, the writer is interested in seeing how this *Hadih Majah* can be the projection of Islamic law on local law in Aceh and several more other *Hadih Majah* that contain Islamic teachings as the projection of Islamic education on customs in Acehnese society. To analyze these phenomena, the writer would stand from the perspective of Ethnolinguistics, one of macro studies in Linguistics to investigate the relationship between language and culture and to see that language and culture related to each other and how language can be the means to express and project the culture, in this case through *Hadih Maja*.

Analysis that would be used for the ethnolinguistic approach is theme analysis based on ethnographic analysis by Spradley (1979) that involves a search for relationships among domains, as well as a search for how these relationships are linked to the overall cultural context.

1. Ethnolinguistics

Linguistics, as the science of languages also cannot stand alone on its micro study to see the matter that the languages built by arrangement of phonetic symbols, words, and syntaxes only, but also their relationship to many aspects of life. The study of this relationship is called 'macro-linguistics.' To see the relation of language to the culture together with the way of life and customs of a cultural society, ethnolinguistics, as one of macrolinguistics study will help. It is one of studies of anthropological linguistics.

Ethnolinguistics (sometimes called cultural linguistics) is a field of linguistics which studies the relationship between language and culture, and the way different ethnic groups perceive the world. It is the combination between ethnology and linguistics. The former refers to the way of life of an entire community, for example, all the characteristics which distinguish one community from the other. Those characteristics make the cultural aspects of a community or a society (Ferraro: 2006).

2. Local Law ('*Hukum Adat*') in Aceh

Hukum Adat is often categorized as 'local law.' According to Rikardo Simarmata (2005), the term of local law is often used to change the legal term of 'folk law.' When the term is used for purposes of local law to differ with state law, then the term simultaneously contains customary law, customs, and religious law. However, not all customary law is unwritten or not codified. Customary laws are also written as the king or *sultan's* orders and regional regulations (*peraturan kampung*). Hence *hukum adat* does not always mean the customary law, because the term necessarily refers to the unwritten law. Customary law is only one element in *hukum adat* which happens to be the most important element.

From the various explanations above, it is clear that *hukum adat* can be described as 'local law' when the term is used to distinguish it and the state law. In today's context, it is not always appropriate to call *hukum adat* as customary law, because customs have been already indicated begun to codify with all their various forms.

Customs are something written or not written into the guidelines in the Acehese society. The customary to understand in this case is the commandment of the leaders and policy makers for the application of system in society. In Acehese society, local law should not be contrary to the religious teachings of Islam. Something that has been decided by the leader and the expert must be in tune with Islamic law. If it is contradictive, the local law would be abolished. This is evidence that the people of Aceh uphold the position of religion in daily life.

2.1. History of local law (*Hukum Adat*) in Aceh

History of the commencement of customary in Aceh began with the birth of the Kingdom of Aceh Darussalam. Introduction of Islam to the Kingdom of Aceh Darussalam, under the leadership of Sultan Ali Shah Mughayat in 1511 - 1530, also affected the formation of the customary law. The spread of Islam at that time developed widely and rapidly as the Islamic religion was very suitable to the characteristics of the Acehese people. Therefore, under the results of consensus among the royals, then a system of customary law (in today's term developed to be 'local law') was formed and began to apply in the Kingdom of Aceh Darussalam. The customary law ran well because of the solid cooperation among the government, traditional institutions and communities.

2.2. Local Law Region in Aceh

Majelis Adat Aceh (Aceh customary assembly) is the foundation which holds the authority of customary and local law. It is built by a system consisting of:

1. *Gampong* region

Gampong is the lowest government organization under the *Mukim* in the structures of Government of Aceh Province, with the task: 1) Organizing the government, 2) Implementing the development, 3) Developing community, 4) Improving the implementation of Islamic law.

Furthermore, in terms of carrying on the tasks, *gampong* has a function which one of them is the settlement in order to decide and define the law or in the event of any disputes or matters of custom and local law in *gampong* region.

In the system of *gampong* governance in Aceh, *Keuchik* holds the power of leadership based on *Mono Trias* Function (oneness of power in three functions): the executive, legislative and judicial power in one hand (*Keuchik*). *Keuchik* is very democratic in applying the power, because all the materials of duties are always in consultation with his assistants (*Imeum meunasah, Tuha Peut and Tuha Lapan*).

Meunasah is a means for the development of religion and tradition in *gampong*, on that basis, then the functions of *meunasah* are: 1) the place of worship and prayer five times a day, 2) education (religious teaching), 3) *dakwah*, 4) discussion, 5) consultation/consensus, 6) dispute resolution/peace, 7) the development of art, 8) youth development, 9) skills development, 10) sports, and 11) place of rest or sleep for young men.

2. *Mukim* region

Mukim is as a unit of government that governs several *Gampong* which is directly under *mukim* and responsible to the district head. *Mukim* has the tasks: 1) Organizing the Government, 2) Implementing Development, 3) Developing community, 4) Improving the implementation of Islamic law, 4) Settling in order to decide and define the law or in the event of any disputes or matters of custom and customary law in *Kemukiman* level.

In general, the task of *mukim* is to continue the matters that cannot be finished in *gampong* level. In *Kemukiman*, there is also *mukim* customary assembly led by *Imeum Mukim* and assisted by the secretary of *mukim* and attended by all *Tuha Peut Mukim*. The functions of *mukim* customary assembly are: 1) As a foundation that maintains and develops customary, 2) Organizes the peaceful resolution in customary society, 3) Finalizes and gives decisions against disputes and violations of customary, 4) Gives legal force to something and other evidence under local law.

The decisions of *Mukim* customary assembly become the guidance for *Keuchik* to run the government in *gampong*.

Mosque is a religious and customary means of development for the *Kemukiman* community, on that basis, then the function of the mosque are: 1) the place of worship and the *Jum'at* prayer, 2) education (teaching), 3) *dakwah*, 4) discussion, 5) consensus, 6) dispute resolution / peace, 7) skills development, 10) *silaturahmi jum'atan* (religious social) institutions, and, 11) symbol of society unity.

3. Other customary institution regions

There are also areas of customary institutions are given the authority specialized in a particular field.

1. *Keujrun Blang*, helps *Keuchik* in the field of the settling and the use of irrigation for rice fields.

2. *Panglima Laot* is the person who leads the customs, habits prevailing in the field of fishing at sea, including arranging a place/area of fishing and dispute resolution.

3. *Peutua Seuneubok* is to lead and set the terms of the opening and the use of lands for trade/ plantation on mountain areas and valleys.

4. *Harian Peukan* is the person who sets the order, safety, hygiene of markets and takes retribution *gampong* market

5 *Syahbandar* is who organizes and leads mooring of ships/boats, and the traffic in and out of the ships/boats transport in the seas, lakes and rivers.

All of these traditional institutions are to serve *gampong* and *mukim* in order to build a welfare society in each *gampong* government respectively.

4. Basic resources of local law and customary in Aceh

In Acehese society throughout its history, it is known that there are 4 (four) sources, namely: 1) *Adatullah*, which is an almost absolute local law based on the laws of God (Qur'an and Hadith), 2) *Adat Tunnah*, the customs as a manifestation of the *qanun* and *reusam* that govern people's lives, 3) *Adat Muhakamah*, the local law that manifested on the basis of consultation and consensus (*musyawarah mufakat*), 4) *Adat Jahiliyah*, the customs and habits that are sometimes not in accordance with the teachings of Islam, but they are still favored by the people.

5. The customary holders

The customary holders here are the leaders at the *gampong*, *kemukiman*, or other customary institutions level.

1. *Keuchik* holds the authority of government, religion and customs that serves as chairman *gampong* whom democratically elected by the people directly.
2. *Imeum meunasah* is holding role and authority in the field of religion and tradition which is an equal partner for *Keuchik* in running the religion and customs.
3. *Tuha Peut* (Council of Four). The Four Board elected by the community of *gampong* consisting of four members/leaders of *gampong* society such as *ulama*, traditional leaders, government leaders and community leaders. *Tuha Peut* serve as advisors and consideration in matters of public issues of *gampong* society through court/consensus (*musyawarah*).
4. *Tuha Lapan* (Council of Eight) The Eight Board *Gampong* chosen by the community of *gampong* consisting of *ulama*, traditional leaders, government leaders, public figures, intellectuals, youth, women leaders and merchants (wealthy). *Tuha Lapan* serve as advisors and consideration and additional roles in matters of public issues actively village to village head or through court/consensus (*musyawarah*).
5. *Imeum Mukim*, the principal task and authority are also to run custom functions, including local law justice for the people who are in the territory.
6. *Tuha Peut Mukim* who serve as advisors and consideration in matters of public issues *Kemukiman* to *Imeum Mukim* actively or through court/consensus (*musyawarah*).
7. *Tuha Lapan Mukim* who serve as advisors and consideration and additional roles in matters of public issues actively to *Keuchik* or through court/consensus (*musyawarah*).

3. Hadih Maja

Hadih Maja or *Nariet Maja* is wise words or proverbs the life of Acehnese society that contain philosophical element, which is used as an advisor/ warning/ explanation or subtle innuendo in order to guide through life.

Hadih Maja is a local term of Aceh formed from the root words *hadih* and *maja*. The word *hadih* adopted from the Arabic, *Hadits*, that this refers to the words, statements, verbal expression. The word *maja* derives from the root *ma* and *ja* referring to the 'woman ancestors' or ancestors, or elders. Thus, *Hadih Maja* can be defined as words, statements, verbal expressions from the ancestors; wise words said by the elders (Bakar: 1985). In Indonesian oral tradition, in general this genre is called *peribahasa* or *pepatah*.

Hadih Maja is inherited by the elders or *indatu* about the values and philosophical life of the people of Aceh expressed short, dense and with a touch of poetic language. *Hadih Maja* taught various grades and philosophical dimensions, in order to be hold in every day of life. A large proportion of *Hadih Maja* is the crystallization of religious values in Aceh culture system. Almost certainly all *Hadih Maja* contains values that correspond to the teachings of the religion that is embraced by the people of Aceh, Islam.

This is in line with the expression of one very famous *Hadih Maja*: "*Adat bak poeteu Meureuhom, hukom bak Syiah Kuala. Adat ngen Hukom lagee Zat ngen Sifeut.*" This *Hadih*

Maja describes exactly how customs and law (Islamic law) have been fully integrated and harmonious, so it is impossible to separate between the two.

The other *Hadih Maja* like "*Meunyoe teupat niet ngen kasat laot darat Tuhan peulara.*" This teaches about the importance of 'intention' and 'sincerity' when we do something. Of course, *Hadih Maja* is very consistent with the teachings of Islam embraced by the people of Aceh.

4. *Hadih Maja* As the Projection of Islamic Law and Education on Local Law in Aceh

The *Hadih Maja*: "*Adat bak poeteu Meureuhom, hukom bak Syiah Kuala, Qanun bak Putroe Phahang, Reusam bak Laksamana, Adat ngen Hukom lagee Zat ngen Sifeut*" shows the system of law holders in Aceh in the past time, but still projects the belief that is embraced by Acehnese people where Islamic law cannot be separated from their customary. *Adat bak poeteu Meureuhom* means *Adat* (customary) lies on king or sultan as the power holder of customary and political life (*Sultan Imam Malikul Adil*) and the holder of executive power.

Hukom bak Syiah Kuala means that ulama (religious scholars) hold the judicial power as justice chief of law (*Qadli Malikul Adil*). *Qanun bak Putroe Phahang* means people are the power holders of lawmaking (legislative power) which in this *hadih maja* denoted as *Putroe Phahang* (Pahang Princess, the consort of Sultan Iskandar Muda) who pioneered the establishment of the people's consultative court assembly (*Majelis Mahkamah Musyawarah Rakyat*). *Reusam bak Laksamana* means when the country was in national emergency/war, *laksamana* (the supreme commander of the armed forces) would be the holder all the internal power in the country.

Although the power of law holders were divided into some divisions like mentioned above, but there is a provision that cannot deviate from each other. So, the *hadih maja* "*Adat ngen Hukom lagee Zat ngen Sifeut*" (customs and (Islamic) law cannot be separated, resembling the substance and its nature) emphasizes that customs and law (in this case, Islamic law) are like the substance and its nature, united and integrated and cannot be separated. Then the holder of customary and politics (*Sultan Imam Malikul Adil*) and legal authority holder (*Qadli Malikul Adil*) must cooperate.

This *hadih maja* projects the life philosophy of Acehnese people to be performed thoroughly and becomes sacred to the society. *Hukom* in this *hadih maja* means Islamic law with legal sources of Qur'an, Al - Hadith, Al - Ijma', and Al - Qiyas. It is obvious that this *hadih maja* is the philosophy of life of the people of Aceh and becomes definite provisions as a way of life of Acehnese people.

This *hadih maja* is still reflected in the life philosophy of *Majelis Adat Aceh* till today that the Islam and customs cannot be separated. Although the holders of *gampong*, *Keuchik* have the 'mono trias function: the executive, legislative and judicial power in one hand, but the democracy will be the priority. *Keuchik* will carry on consensus (*musyawarah*) together with all people to reach the agreement (*mufakat*). It is in line with Islamic point of view where the society has some matters, they should discuss to reach the same agreement, so there is nobody left in despair and the justice will be reached.

All the customary holders, such as *Keuchik*, *Imeum meunasah*, *Tuha Peut*, *Tuha Lapan*, *Imeum Mukim*, *Imeum Mesjid*, *Tuha Peut Mukim*, and *Tuha Lapan Mukim* on the term of holding local law authority, running the government, and solving customary matters and

disputes always embrace the sources of law: *adatullah* (from God/Islamic law), *adat tunnah* (customs), *adat muhakamah* (consensus/*musyawarah*). This is the reflection of the meaning hidden in *hadih majah*: “*Adat bak poeteu Meureuhom, hukom bak Syiah Kuala*” that both the holder of customary and politics (*Sultan Imam Malikul Adil*) and legal authority (Islamic law) holder (*Qadli Malikul Adil*) must cooperate like *Keuchik* and *Imam Meunasah* in *gampong* region and *Imeum mukim* and *Imeum Mesjid* in *mukim* region respectively.

The law sources that embraced by the holders also cannot stand alone. They are in unity. *Adat tunnah* cannot be separated from *adatullah* while *adat muhakamah* is also the projection of Islamic teaching that consensus (*musyawarah*) is essential to hold in society. This is what projected through *hadih majah*: “*Adat ngen Hukom lagee Zat ngen Sifeut*” (customs and (Islamic) law cannot be separated, resembling the substance and its nature).

So, the *hadih maja*: “*Adat bak poeteu Meureuhom, hukom bak Syiah Kuala, Qanun bak Putroe Phahang, Reusam bak Laksamana, Adat ngen Hukom lagee Zat ngen Sifeut*” is really a projection that Islamic law cannot separated from the implementations of local law in Aceh.

Besides as the projection of Islamic law, many *hadih maja* also reflect the Islamic education and teachings are deeply embraced by Acehnese people. They will emphasize the *hadih maja*: “*Adat ngen Hukom lagee Zat ngen Sifeut*” that the customary and Islam as the way of life of people in Aceh cannot be separated. They reflect what God said in Al-Quran to guide people to walk in the right way.

The writer would show several of them, such as:

- “*Peutheun agama jeut tameuprang. Meunan fireuman Allah ta’ala. Peutheun agama jeut tameuprang. Meunan fireuman Allah ta’ala. Kheun Agama beek tapeuwayang. Ureung taloe prang beuget tajaga*”

(To retain religion may hold war. That’s the word of Allah ta’ala. The message of religion should not be violated. Who lost the war must be guarded)

Inspired by Qur’an Surah al-Baqarah : 190

- *Ureung areh han tom kanjai. Ureung Meu-akai han tom binasa*

(Knowledgeable people will never be abject. People think will never perish)

Inspired by Qur’an Surah Ali Imran : 190-191

- *Bijeeh bek leumah kulet. Peunyakeet bek leumah nyata. Adak sakeet bah di dalam. Bek hiram bak ie muka*

(Seeds, do not show the skin. Disease should not be noticeable. Keep the pain inside. Do not show it on the face)

Inspired by Qur’an Surah Yusuf : 84

- *Meunyoe jirhoem ngen bajoe. Bek tabalah ngen nuga. Meunyoe jirhoem ngen tumpoe. Tabalah ngen asoe kaya*

(If pelted with a peg, do not pay it back with a hammer. If given *tempoyak*, pay it back with *srikaya*)

Inspired by Qur'an Surah asy-Syura : 37

- *Berangkapeu buet tapike dilee. Ôh ka malee keupeu lom guna*

(Please think all actions first. After being embarrassed, nothing is useful)

Inspired by Qur'an Surah al-Kahfi : 28

It is clear to see that the *hadih maja* above really project the Islamic education and teachings. They are inspired by Al-Qur'an as one of the ways of life for people in Aceh. *Hadih majah* in general show the life philosophy of Acehnese people as the part of culture that is embraced by Islamic law and education.

Conclusion

From the analysis above, it can be seen that *hadih maja* become the projection of how people in Aceh perform and implement the local law. It is based on Islamic law and educations. This condition is also affected by the history of Aceh government. In the past, Aceh was under the reign of Islamic kingdom Aceh Darussalam. So, it is no wonder if every life aspect of Acehnese people is in line with Islam.

It can be concluded that language (in this case, *hadih maja*) can be the reflection of the culture of its people, like the way of life, philosophy, law, and customs that they embrace in their life.

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