CONFLICT TRANSFORMATION BASED ON ORAL TRADITION IN WEST KALIMANTAN (ISLAMIC LAW PERSPECTIVE)

Sardo Mangatur Pardamean Sibarani[1], Lomba Sultan[2], Abdul Wahid Haddade[3], Zarul Arifin[4]

[1,2,3]Universitas Islam Negeri Alauddin Makassar, Indonesia
[4]Universitas Sultan Muhammad Syafiuddin Sambas, Indonesia
Correspondent E-mail: sardo_mp@gmail.com

ABSTRACT

West Kalimantan is a region rich in cultural diversity and traditions, including in terms of conflict resolution through local cultural approaches. One of these cultural riches is oral tradition which is used as a medium to reduce and resolve social conflicts that arise in the community. This research aims to examine the forms of conflict that occur in West Kalimantan, explore Islamic values regarding conflict resolution, and analyze the role of oral tradition as a means of conflict transformation from the perspective of Islamic law. This research uses a socio-legal approach with a descriptive qualitative method, where data is collected through literature studies and interviews with traditional leaders, scholars, and local communities. The research findings show that conflicts in West Kalimantan are often related to social issues, cultural identity, and the struggle for resources, but are successfully mitigated through oral traditions such as traditional advice, pantun, and traditional deliberations that are full of values of justice, reconciliation, and brotherhood. These traditions are in line with the principles of Islamic law, which emphasize the importance of ishlah (peace), 'is (justice) and ta'ayush silmi (peaceful coexistence). Thus, oral tradition not only functions as a cultural instrument, but also as a means of social law based on Islamic values in transforming conflict towards sustainable peace.

Keywords: Oral Tradition, Conflict Transformation, Islamic Law, West Kalimantan, Socio-Legal

A. INTRODUCTION

Conflict becomes inevitable because individuals or groups feel their rights are threatened or not recognized. Feelings of marginalization, injustice, and social jealousy further increase the potential for conflict, especially if there is no room for dialogue or a fair resolution mechanism (Fernandes, 2014) . In West Kalimantan's pluralistic society - consisting of various ethnicities such as Malay, Dayak, Chinese, and Madurese - tensions can arise when one group feels more privileged or marginalized in access to resources, employment, education, or political representation. This reinforces the position of primordial identity as a basis for solidarity as well as a barrier between groups (Annisa, 2015) .

Conflict is difficult to eliminate, because it has become part of human life. Efforts can be made to resolve the conflict, transformation and conflict management towards peace or other positive things. In today's social life, social conflicts that occur are caused by political, economic, social and cultural factors. Human instincts, which then become group instincts to achieve certain positions and roles in society, trigger conflicts,

including in this case mutual suspicion, distrust and easy provocation. God's word in surah Al Hujurat verse 12;

يٰٓاَيُّهَا الَّذِيْنَ اٰمَنُوا اجْتَنِبُوْا كَثِيْرًا مِّنَ الظَّنِّ اِنَّ بَعْضَ الظَّنِّ اِثْمٌ وَّلَا تَجَسَّسُوْا وَلَا يَغْتَبْ بَّعْضُكُمْ بَعْضًاۗ اَيُحِبُّ اَحَدُكُمْ اَنْ يَّأْكُلَ لَحْمَ اَخِيْهِ مَيْتًا فَكَرِهْتُمُوْهُۗ وَاتَّقُوا اللّٰهَ ۗاِنَّ اللّٰهَ تَوَّابٌ رَّحِيْمٌ

Ministry of Religious Affairs 2002 Translation

> O you who believe! Avoid much prejudice, indeed some prejudice is sin and do not find fault with others and let none of you backbite others. Would any of you like to eat the flesh of his dead brother? Surely you would be disgusted. And fear Allah, surely Allah is Oft-repentant, Most Merciful.

According to (Liliweri Alo, 2005) there are a number of terminologies in efforts to resolve conflicts, including conflict prevention, conflict resolution, conflict management, conflict resolution, and conflict transformation. Conflict transformation is a term coined by John Paul Lederach. Conflict transformation is particularly appropriate to ethnic conflict, which is a complex and systemic conflict. Recurrent ethnic conflicts are created by power imbalances and social disconnects, which can be repaired through transformation and rebuilding of relationships.

Furthermore, healthy interactions and mutual respect are absolute requirements so that potential conflicts do not develop into open violence. When social interactions are poorly built and full of prejudice, not only are social needs disrupted, but also opportunities to develop human potential will be hampered. Therefore, it is important for the community, government, and traditional and religious leaders in West Kalimantan to encourage cross-cultural dialogue and strengthen local wisdom values that emphasize harmony, mutual cooperation, and respect for differences. Cultural and participatory approaches are considered effective in resolving the underlying issues that trigger conflict. Thus, efforts to create a peaceful and inclusive society can be done from the roots - namely the fulfillment of basic needs and recognition of the existence and dignity of each group in society (Aslan, 2017; Kurniawan, 2018) .

The people of West Kalimantan have a genealogical relationship because they are still one descendant of the Dayak tribe. Dayak people who embrace Islam in the view of the people of West Kalimantan can already be called Malay. The Dayak people came from South China (Yunan), they came to West Kalimantan through Malaysia, the first groups to come were Negrid and Weddid, then followed Deutro Malay and Proto Malay until now they are divided into about 151 Dayak sub-ethnic groups with 168 languages (Hasanuddin., 2014) . Genealogy according to Michel Foucault is not simply a science that studies biological human origins or lineage as in the traditional sense, but rather a critical approach to understanding the origins of ideas, practices, institutions, and forms of power that exist in society. In Foucault's thinking, genealogy serves to trace how a system of knowledge, norms and social structures are formed through a complex history, full of power struggles, and not always linear.

Oral tradition is a form of culture that is recreated to be utilized, developed, and preserved, therefore it needs to be preserved. The main sources in the study of oral tradition are speakers, resource persons who own the oral tradition under study which includes the owner's community or related supporters. According to Sibarani (Sibarani, 2015) , oral tradition is a traditional cultural activity of a community that is passed down from generation to generation with oral media from one generation to another, whether the oral tradition is in the form of a verbal arrangement of words (verbal) or oral traditions that are not oral (non-verbal). Oral tradition is an expression of traditional society which at that time did not recognize writing. Oral tradition that developed in Indonesia is not only in the form of folklore, poetry, rhymes, mythology, or legends. Oral tradition has 7 functions, namely: (1) entertainment function, (2) educational function, (3) function of remembering the past, (4) function of solidarity and togetherness, (5) function of social control, (6) function of protest and social criticism, (7) religious function (Mantra & Widiastuti, 2014) . The people of West Kalimantan have oral traditions that have meaning and value. The Malay community in Ketapang Regency has poetry.

There has been much research on conflict and its resolution in West Kalimantan. Conflicts in West Kalimantan have existed since the Kingdom era, colonialization, post-independence until now (Ani et al). Research that discusses how solutions to conflicts in West Kalimantan mostly discuss conflict resolution. Cultural approaches have been widely used for conflict handling and prevention. The use of oral tradition-based conflict transformation. There has been a lot of research on conflict and its resolution in West Kalimantan. Conflicts in West Kalimantan have existed since the Kingdom era, colonialization, post-independence until now (Ani et al). Research that discusses how to solve conflicts in West Kalimantan mostly discusses conflict resolution. Cultural approaches have been widely used for conflict handling and prevention. The use of oral tradition-based conflict transformation.

The basic argument in this research departs from the problem of conflict in West Kalimantan, solutions and Islamic views on solutions in the form of oral tradition. The main assumption in this research sees that conflicts always occur in humans everywhere, conflicts in West Kalimantan manipulate religion into it and conflicts can be transformed into the formation of a sustainable culture of peace. Building conflict transformation in a culture-based society, in this case oral tradition is easier and allows it to last long. Novelty of this research is the effort to explore the oral tradition as a culture that developed in West Kalimantan society as a medium and source of conflict transformation. The study of Islamic law is discussed in this study mainly to see how Islamic law views the use of oral tradition as a medium and source of conflict transformation in West Kalimantan.

B. METHOD

The research conducted is included in qualitative analysis with descriptive data by describing a variable as it is (Arikunto, 2010) . This research explores a phenomenon that occurs in a particular institution or unit in implementing a particular policy, for example

in this study on Oral Tradition-Based Conflict Transformation in West Kalimantan (Islamic Law Perspective). That is, this research is conducted holistically in understanding a fact or phenomenon experienced by the research subject. This research is legal research in the realm of socio-legal studies. Socio-legal is a field of study in legal science that does not base its approach on seeing facts as they are, but begins to see certain characteristics of social behavior using the help of other sciences. From tracing the real reality, it is hoped that it will be known whether the positive law or the law born from the relationship between subjects in society is a fair law or not. In other words, it is a study that reviews law as a social fact that can be seen in the realm of experience as a pattern of behavior in the form of social institutions or social institutions, legal studies that conceptualize and theorize law as a positive and empirical social fact.

Data are all facts and figures that can be used as material to compile information. Qualitative research "The data collected is descriptive data, for example personal documents, field notes, respondents' actions, documents and others. Understanding various data sources is a very important part for researchers because the accuracy of choosing and determining the type of data source will determine the accuracy and richness of the data or information obtained. The information will be extracted from various data sources and the types of data sources used in this study include cultural experts, as well as Malay organizational figures and elements of policy makers. Data collection techniques using observation, interviews and documentation.

The steps of the interactive analysis technique can be depicted in the following chart;
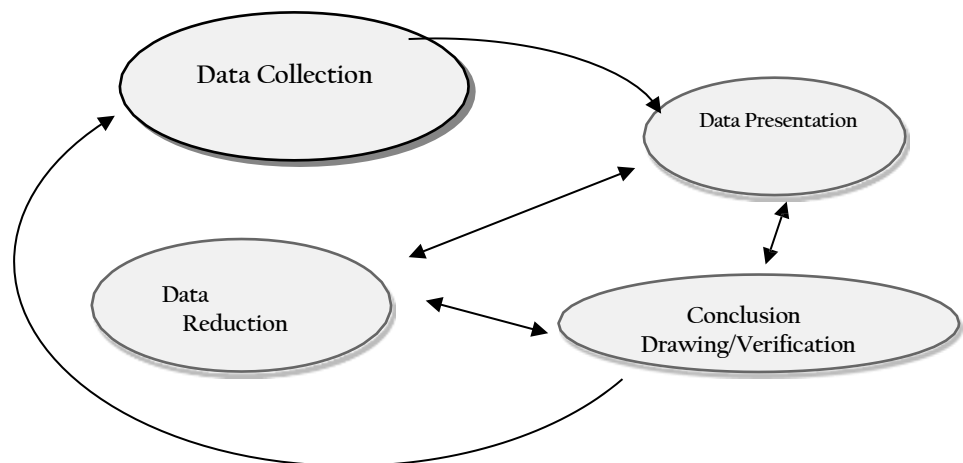

Figure 1. Components of Data Analysis Interactive Analysis Model (Matthew B. Miles, 2014)

C. RESULTS AND DISCUSSION
Culture that Develops in the People of West Kalimantan

West Kalimantan has many cultures with each having its own distinctiveness. This region is an area that has various types of culture that are different in each region. Sambas Regency is one of the regencies in West Kalimantan Province that has a variety of arts,

food and beverages that have existed for hundreds of years, then developed by the community to adapt to the times. The developing culture is unique and only found in certain areas.

West Kalimantan is inhabited by a pluralistic society that is divided into sub-sub based on primordial ties. Primordial ties are ties that are carried from birth such as blood relations, relatives, tribalism and racial similarities (Ajisman, 2016; Prasojo, 2012) . The people who settled in West Kalimantan include Dayak, Malay, Javanese, Madurese, Thionghua, Batak and others. In the beginning, the people who inhabited this region were the Dayak people. The Dayak community represents the designation for the various Dayak tribes that inhabit the West Kalimantan region. The Malay community in Kalimantan included in this research is the Malay community in Sambas Regency.

Poetry is one of the oral traditions that has developed in Malay society. The existence of poetry is widely spread in almost all regions of West Kalimantan. The origin of Syair was originally just a form of essay or called kengkarangan which means something composed by coral (Effendy, 2017) . There are also those who call it syair layang because the content is only a glimpse. Gradually, because the poem was always rolled up and hung on the beak of a paper bird at the top of a kekayun (a wooden rice container usually decorated with egg flowers for wedding/circumcision delivery), it was finally called Syair Gulung. Initially the content of the poem contained an expression of the content of the verses of the Qur'an, in the form of beautiful couplets containing advice and life guidance so that the community always holds fast to the Qur'an. The existence of poetry as an oral tradition also became a medium of da'wah at the beginning of the spread of Islam, especially in the coastal kingdoms. According to oral stories, Syair Gulung was used by the preachers who came to Tanah Kayong or Tanjung Pura as a tool in spreading the message of Islam.

Michel Foucault's Geneology (Borba, 2008) does not only talk about kinship but also talks about kinship relations. The kinship relations referred to in this study include knowledge of power and knowledge. The similarity of knowledge possessed by the Dayak and Malay communities is not just in the existence of a similar living environment but the existence of the same knowledge inherited by their ancestors. The inheritance of knowledge, which is usually through oral tradition, will shape the character of each community, both Dayak and Malay. Ritzer explains that knowledge in the science of humans is always related to body regulation, action knowledge, and self-formation (Ritzer, 2011).

Customary law in the Dayak community is oral and passed down from generation to generation. This law not only regulates social life, but also ensures the preservation of nature, as nature is considered a legacy that must be preserved for the next generation. Dayak knowledge is formed from direct interaction with the environment and passed down through oral tradition. This local knowledge reflects a sustainable way of life, where customary practices support the preservation of forests, land and other natural resources. In Michel Foucault's view, as stated by Rusyanti (2015), power and

knowledge are two things that are interrelated. The power that emerges from this local knowledge allows indigenous peoples to maintain their autonomy and organize their living space according to the cultural and ecological values they believe in.

Cultural Values that Develop in Communities in West Kalimantan

There are values in the culture that exists in society. Cultural values are values agreed upon and embedded in a society, scope of organization, community environment, which are rooted in a habit, belief, symbol, with certain characteristics that can be distinguished from one another as a reference for behavior and responses to what will happen or is happening (Fauzi, 2018; Normina, 2017) . Character is the character or tabi'at, which is the inner human being that affects all thoughts and behavior that distinguishes a person from others. The term character in Greek and Latin, charassein which means "to carve a pattern that is indelible and indelible" character or character is a combination of aspects of human nature that is permanent so that it becomes to distinguish one person from another. According to Hamid, the term character is the value of moral and moral policies that are embedded and become intrinsic values in themselves that underlie their thoughts, attitudes and behavior. Character can be formed through various ways, one of which is through education. Character education is now absolutely necessary not only at school, but at home and in the community. Even now, character education is no longer instilled in early childhood, adolescence, and adulthood. Character education is a system of instilling character values which includes components of knowledge, awareness or willingness, and action to carry out these values, both towards God Almighty, self, others, the social environment and certain cultures, then the development of a person's individual character can only be done in the social and cultural environment concerned (Darmadi, 2013) .

Religious values are always at the forefront of every oral tradition that develops in communities in West Kalimantan. For the Dayak people, the value of divinity always accompanies their every step in daily life. This value can be seen from every Dayak community activity that must begin with a ceremony containing rituals to the creator. The oral tradition that developed in the Dayak community always prioritizes divine values. For example, stories about the vengeance of the nabau, where the concept of the ruler of nature translated in the form of gods has always been their foundation in living their daily lives.

The Malay community in Sambas Regency makes the value of divinity the main factor in customs and life. Oral traditions that develop in Malay society in the form of folk songs, fairy tales, rhymes and poems always place divine values in each opening and closing. For example, Malay fairy tales always end with the word walaualam. Customary law for the Malay community is the rules of the rules that exist in Islam which are expressed in the Qur'an and hadith. The performance of syair gulung which is a typical Malay art cannot be separated from religious values. Every beginning always begins with words of praise and gratitude. Praise and gratitude especially to Allah SWT who has

given various gifts in the form of health so that he is given the opportunity to sing. Religious values appear at the beginning of the verse.

The research findings explain that the geneology of the Sambas community found in the oral tradition explains that the Malay and Dayak communities are of one descent. The similarity of oral traditions can be an indication of genealogical similarities. Along with the times, the entry of Islam and Christianity made a paradigm shift in seeing a community. People in Sambas Regency are said to be Dayak if they adhere to Christianity, while the Malay label is attached to those who are Muslim. Religious differences make the customary laws that develop in Dayak and Malay communities different. The values owned by the community reflected in their oral traditions consist of the value of love and care for the universe, the value of tolerance, religion, and mutual cooperation.

Islamic Views on Conflict and Oral Tradition

According to Islam, as informed by various verses of the Qur'an and Hadith, human beings are created as creatures who are always at odds in life because they differ from one another, both on a small and large scale. These differences contain positive values in addition to negative sides. Differences will encourage them to compete with each other in goodness, achieving as much reward as possible for their respective strengths (QS. Hūd/11: 118). Translation: If your Lord had willed, He would have made mankind one people, but they always disagree. Islam is strongly against hostility because it is part of the trap of shaitan, let alone killing yourself and other innocent people, as Allah swt says in QS al-Maidah/5: 91). Prevention of Conflict and Tension in Islamic Law Among the instructions given by Islam in an effort to prevent conflict is the word of Allah which commands that a Muslim not insult or make fun of others, QS. al-Hujurat (49): 11. Meanwhile, to suppress the emergence of conflict, a sense of unity and integrity should always be developed,35 compassion and humanity in accordance with Islamic teachings, fostering awareness that we and others are the same (not selfish), and being open and able to control emotions.

The values of Islamic law are also reflected in the Word of Allah swt (QS. Ali Imran / 3: 159) Translation: It is because of the mercy of Allah that you are gentle with them. So forgive them, ask forgiveness for them, and consult with them in the matter. then when you have made up your mind, then put your trust in Allah. Verily, Allah loves those who put their trust in Him". In the verse above, the values of Islamic law that can be applied in efforts to prevent and resolve social conflicts, namely gentleness and non-violence, forgiveness of fellow humans and deliberation on various matters.

The following steps are taken in responding to the social conflict: 1) Tabayyun Tabayyun linguistically means seeking clarity about something until the situation is clear; 2) Islah is an attempt to reconcile between two or more people who quarrel or hostility or reconcile from things that can cause hostility and war; 3) Silaturahim comes from Arabic, namely from the words shilah and ar-rahim. The word shilah is a mashdar form of the word washola-yashilu which means "to arrive, connect". Social conflict is often caused by mistrust or poor communication.

Islamic law is expected to answer various problems that arise anywhere and anytime, instead of causing problems in the midst of society. According to the theory of Islamic pribumization, Islamic law is formulated by considering local needs, including customary law. So, Indonesian fiqh based on Wahid's understanding is fiqh formulated by considering local needs without changing the law itself (Sidiq, 2017) . Religion in this case, is not seen as a global identity, but is seen as a group truth. Religion as a belief that contains universal truth values in practice is only seen through the perspective of each particular group. Islam is not seen as an identity but is something that presents so many meanings of implementation, such as shia Islam, sunni, kejawen, sunda wiwitan, and so on. Religious groups are formed because each member has ideals based on the same values or norms towards something sacred.

In order for conflicts not to occur, it is necessary to transform religious thoughts and attitudes by changing the exclusive view of religion to a more inclusive and pluralist view (Toisuta, 2019) . Adherents of Islamic teachings, tolerance or tasamuh is an action, demand and acceptance within certain limits. Tolerant behavior in religion has the understanding not to violate each other's boundaries, especially those related to the limits of their faith or creed. Islam strongly upholds tolerance between religious communities as stated in the Qur'anic warning. "For you your religion and for me my religion" and "There is no compulsion in religion." Thus, tolerance between religious communities is the best way that must grow in the space of awareness and be framed in every religious community. Recognizing the existence of other religions does not mean believing and trusting the truth, but just adds to the belief in the truth and superiority of our own religion. Tolerance means recognizing the plurality of religions, beliefs and beliefs without having to force adherents of different religions to recognize the religion we profess. the transformation of understanding and religious attitudes that respect differences, must start from changing the mindset, namely changing attitudes and views from exclusivism (social arrogance) to awareness of inclusiveness and pluralism. so that conflict does not occur, there must be a transformation of thinking, understanding and attitudes that are more inclusive and pluralist. In addition, a democratic attitude can also be applied, namely democracy that combines individual and social interests, between values that come from God, and values that come from humans in a balanced manner.

D. CONCLUSION

Based on the analysis of oral traditions in West Kalimantan in the context of conflict resolution, it can be concluded that the local community has a strong cultural mechanism in reducing and transforming social conflict through oral means such as traditional advice, rhyming advice, and traditional deliberation. These traditions not only function as social communication toolsbut also contain substantive values that are in line with the principles of Islamic law, such as justice ('adl), peace (ishlah), and deliberation (shura). The socio-legal approach used in this research proves that law does not solely exist in a formal normative form, but also lives and develops in the social practices of culturally-based communities. Thus, the oral tradition in West Kalimantan has the

potential to be used as a model of conflict resolution based on Islamic local wisdom, relevant to be applied in building a peaceful and just society.

REFERENCE

Ajisman. (2016). The Development of Islamic Religious Institutions in Pontianak Municipality at the End of the Century 20. *Journal of Historical and Cultural Research*, *2*(1).

Annisa, S. (2015). Sambas Malay Proverbs: An Inventory and Analysis of Types and Functions. *Study Program of Indonesian Language and Literature Education FKIP*.

Arikunto, S. (2010). *Research Procedure A Practice Approach*. Rineka Cipta.

Aslan. (2017). Local Wisdom Values in Pantang Larang Culture of Sambas Malay Tribe. *Scientific Journal of Ushuluddin Science*, *16*(1), 11–20.

Borba, M. (2008). *Building Moral Intelligence: Seven Key Virtues for Highly Moral Children*. PT. Gramedia Pustaka Utama. 2008.

Darmadi, H. (2013). *The Urgency of Pancasila and Citizenship Education in Higher Education Program*. Alfabeta CV.

Effendy, C. (2017). The Role of Malay Literature and Language in Building National Character. In *JENTERA: Journal of Literary Studies* (Vol. 3, Issue 2, p. 126). https://doi.org/10.26499/jentera.v3i2.443

Fauzi. (2018). The Value of Local Culture in the Millennial Era. *Insania*, *23*(1), 51–65.

Fernandes, H. P. (2014). *Conflict Management In An Organization Jefri*. *6*(1), 139.

Hasanuddin. (2014). *Pontianak in the Colonial Period*. Ombak.

Kurniawan, S. (2018). Analysis: Journal of Islamic Studies of Rice Farming for Sambas Malays: Local Wisdom, Islamic Values, and Character Building. *Analysis: Journal of Islamic Studies*, *18 (2)*(2), 189–210.

Liliweri Alo, W.. (2005). *Prejudice and Conflict, Communication across Multicultural Societies*. Lkis.

Mantra, I. B. N., & Widiastuti, S. (2014). Function and Meaning of Genjek Kadong Iseng Oral Tradition. *Journal of Bakti Saraswati*, *3*(2).

Matthew B. Miles, M. H. and J. S. (2014). *Quantitative Data Anaysis A Methods Sourcebook* (Third Edit). Arizona State University.

Normina, N. (2017). Education in Culture. *Ittihad Journal of Kopertais Region XI Kalimantan*, *15*(28), 17–28.

Prasojo, Z. H. (2012). The Dynamics of Local Communities at the Border. *Walisongo: Journal of Socio-religious Research*, *21* (2), 417. https://doi.org/10.21580/ws.2013.21.2.252

Sibarani, R. (2015). Anthropolinguistic Approach to the Study of Oral Tradition. *Journal of Rhetoric Language Science*, *1*(1), 1–17.

Sidiq, S. (2017). Maqashid Sharia & the Challenge of Modernity: A Review of Jasser Auda's Thought. *In Right*, *7*(1), 140–161.

Toisuta, H. (2019). *Religion in a Plural Society. In Babun Suhato, et. all under the title Religious Moderation: From Indonesia to the World*. Lkis.