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A 14th Century Malay Code of Laws

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A 14th Century Malay Code of Laws

The Nītisārasamuccaya

ULI KOZOK

With Contributions by

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First published in Singapore in 2015 by
ISEAS Publishing
Institute of Southeast Asian Studies
30 Heng Mui Keng Terrace, Pasir Panjang
Singapore 119614

E-mail: publish@iseas.edu.sg • *Website:* bookshop.iseas.edu.sg

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ISEAS Library Cataloguing-in-Publication Data

Kozok, Uli.

A 14th century Malay Code of Laws : The Nītisārasamuccaya / with contributions by
Thomas M. Hunter, Waruno Mahdi and John Miksic.

1. Nītisārasamuccaya.
2. Manuscripts, Malay—Indonesia—Sumatera Barat.
3. Law—Indonesia—Sumatera Barat.
4. Sumatera Barat (Indonesia)—History.
3. Sumatera Barat (Indonesia)—Civilization.
- I. Hunter, Thomas.
- II. Mahdi, Waruno.
- III. Miksic, John N.
- IV. Title.
- V. Title: Nītisārasamuccaya.

Z106.5 I52S81K89 2015

ISBN 978-981-4459-74-7 (hard cover)

ISBN 978-981-4459-75-4 (E-book PDF)

Cover photo:

Kenduri Sko (Public Display of Sacred Heirlooms) in Tanjung Tanah, 5 June 2008. Photo taken by Uli Kozok.

All photos in this book were taken by the respective chapter authors themselves.

Typeset by International Typesetters Pte Ltd

Printed in Singapore by Mainland Press Pte Ltd

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ABBREVIATIONS

AN	Austronesian language
KBBI	Kamus Besar Bahasa Indonesia (Alwi; Sugono 2001)
Kec.	Kecamatan (district)
Mal	Malay
OJ	Old Javanese
OJED	Old Javanese-English Dictionary (Zoetmulder; Robson 1982)
OM	Old Malay
SM	Standard Malay
Skt	Sanskrit
UUM	Undang-Undang Melaka (Liaw 1976)

PREFACE

This book is dedicated to a manuscript of a Malay legal code, the *Nītisārasamuccaya* (Compendium of the Essence of Policy), that I saw for the first time in 2002 in a village on the shore of Lake Kerinci, and which later turned out to be the oldest extant Malay manuscript dating back to the fourteenth century.

I still fondly remember my first visit to Kerinci in 1999. My colleague from the University of Auckland, Drs Eric van Reijn, introduced me to Sutan Kari, a prominent figure and member of the local parliament of the regency of Kerinci. Upon my arrival at the bus station of Sungai Penuh, a small town, which is also the capital of the Kerinci regency, 260 kilometres south of Padang, I was picked up by the late Sutan Kari who, on the same morning, introduced me to Fauzi Siin, the *bupati* (regent) of Kerinci. When I explained to the *bupati* that I was planning to research the indigenous Kerinci script, he instantly offered me assistance by providing me with a car, and by taking care of my accommodation during my two-week stay in Kerinci.

Sutan Kari and his close friend Amir Gusti continued to assist me during my four subsequent visits to Kerinci between 2000 and 2004. As respected community leaders they were of invaluable help, and it was through them that I was able to gain access to the sacred heirlooms (*pusaka*) of Kerinci that until today continue to play an important part in the spiritual life of the people.

Iskandar Zakaria is one of the few people of Kerinci who is able to read manuscripts in both the Arabic-Malay as well as in the Kerinci script. The local artist, renowned for creating a monumental piece of religious art — the Koran written on one huge piece of cloth almost two kilometres long that took eight years to complete — became another member of our small team and regularly accompanied us on our journeys to the villages to document the sacred heirlooms of Kerinci.

At the end of my visit in 2002 during which I had seen quite a few manuscripts on paper, horn, and bamboo, I wondered whether the people of Kerinci ever had utilized tree bark as a writing material. This is something I expected as both the Batak in the North as well as the people of Rejang, Bengkulu, Serawai, Lampung etc. in the South have a tradition of using the inner bark (bast) of a certain tree, which they then cut into smaller size and fold accordion-wise to be placed between two wooden covers. As it later turned out, bark books of this kind are extremely rare in Kerinci, but Sutan Kari told me that he knew of at least one book written on bark paper in a collection in the village of Tanjung Tanah. In the afternoon of the same day, we arrived in Tanjung Tanah and luckily the caretaker of the manuscript was at home and allowed me to take a few photographs.

It was only a few weeks later that I had time to study the photographs and compare them with the notes of the Dutch scholar Petrus Voorhoeve, who in 1942 visited Kerinci in his position as the *taalambtenaar* (language official) for Sumatra where he was able to document a large number of manuscripts kept by the people as “sacred heirlooms”. The Tanjung Tanah manuscript was listed as no. 214 in his unpublished *Tambo Kerintji* (Voorhoeve 1941), and in a later publication, Voorhoeve (1970, p. 384) correctly identifies the text as “a Malay version of the book of laws *Sārasamuccaya*”. I soon realized that TK 214 must be of considerable age, most likely the thirteenth or fourteenth century as the kingdom of Dharmasraya mentioned in the manuscript only seems to have existed for roughly 200 years. In late 2002 for the first time, I publicly announced in an email to several colleagues my assumption that TK 214 may be the oldest extant Malay manuscript, and the only Malay manuscript in a pre-Arab-Malay script. The response was mixed and my arguments were apparently not strong enough to convince most of my colleagues. I then decided to re-visit Tanjung Tanah to ask the owners to allow me to further study the manuscript and to provide me with a small sample for radiocarbon dating which they generously allowed.

During my second visit, the owners also showed me another manuscript (listed in Voorhoeve’s *Tambo Kerintji* as TK 215) written in Jawi (Arab-Malay) letters. Apparently this was also a legal code, but at first sight it did not bear any resemblance to the legal code of the fourteenth century as the introductory sections were completely different. Once beyond the introduction it turned out that, to our surprise, this manuscript, which probably dates to the seventeenth century, is essentially a copy of the fourteenth-century legal code. TK 215 is discussed in Chapter 5.

The result from the Rafter Radiocarbon Laboratory in Wellington that I received in late 2003 confirmed that the age of the manuscript indeed exceeded 600 years. I then contacted colleagues in the field of Indonesian and Malay philology and linguistics, and together we agreed that the manuscript should be translated as a group effort as no single individual would have the capability to translate a manuscript written in an ancient Malay dialect for which no other sources exist. Subsequently, a one-week translation workshop in December 2004 was organized by the Yayasan Pernaskahan Nusantara with financial support from the Ambassador's Fund for Cultural Presentation that we received from the U.S. Embassy in Jakarta. The workshop was attended by Dr Achadiati Ikram, Drs Hasan Djafar, Karl Anderbeck, Dr Ninie Susanti Y., Dr Romo Kuntara Wiryamartana, Dr Thomas Hunter, Waruno Mahdi, and myself. The translation team was assisted by Amyrna Leandra, Dra. Dwi Woro Mastuti, Professor Dr Edi Sedyawati, Made Suparta, Dra. Mujizah, Munawar Holil, Yamin, and Dr Titik Pudjiastuti. Dr K.A. Adelaar was unable to attend the workshop but assisted us via email in our attempt to translate the manuscript.

Two participants of the workshop, the linguist Waruno Mahdi and the Sanskritist and Old Javanist Dr Thomas Hunter continued to work on the manuscript and eventually contributed several chapters to this volume. We were also fortunate to secure the agreement of Dr John Miksic from the National University of Singapore to contribute a chapter about the early history of the wider Jambi area.

I am indebted to Jan van der Putten from the National University of Singapore, and Drs Eric van Reijn (Auckland) for their contributions to the chapter on TK 215.

We would also like to extend our gratitude to a number of institutions and individuals who assisted us in several aspects of our project, including Isamu Sakamoto (Tokyo Restoration and Conservation Center), John McGlynn (Jakarta), Dr Stephen O'Harrow (Honolulu), Dr Sean O'Harrow (Cambridge), Dr Timothy Behrend (Auckland), Dr Henri Chambertloir (Paris), Dr Annabel Teh Gallop (London), Dr Edmund Edwards McKinnon (Singapore), and the late Dr Ian Proudfoot (Canberra).

Uli Kozok

ABOUT THE CONTRIBUTORS

Thomas M. Hunter: born in Pottsville, Pennsylvania, 1947; studied at the University of Michigan (MA 1980, Ph.D. 1988). He has been a Fellow of the National Endowment for the Humanities (1996), the Institute for Advanced Study at the Hebrew. He is a Lecturer in Sanskrit and South-Southeast Asian Studies at the University of British Columbia. His research focuses on the ancient literature of India and Indonesia, especially works in the *Kawi*, or Old Javanese, language.

Uli Kozok: born in Hildesheim, Germany, 1959; studied at the University of Hamburg (MA 1989, Ph.D. 1994), Universitas Sumatra Utara (Indonesia) and Leiden University (the Netherlands). He was a Senior Lecturer at the University of Auckland (New Zealand) during 1994–2001, and Professor in Indonesian Studies at the University of Hawai'i at Mānoa from 2001–present. His research interests include insular Southeast Asian paleography, Sumatran philology, and the early history of Indonesia.

John N. Miksic: born in Rochester, New York, 1946. He graduated from Honeoye Central School, New York, obtained his BA from Dartmouth College, MA at Ohio University, and Ph.D. at Cornell University for archaeological research in North Sumatra. He worked as a rural development advisor in Bengkulu and taught archaeology at Gadjah Mada University, then moved to Singapore in 1987. He has received awards from Singapore and Indonesia for his contributions to the

study of Southeast Asian culture. He serves on the board of the Center for Khmer Studies. He has published books on ancient Javanese gold artifacts and the Buddhist monument of Borobudur. His current research includes a translation of a Malay manuscript from Maluku, and the archaeology of ancient ports and cities in Southeast Asia. Currently, he is Associate Professor in Southeast Asian Studies, National University of Singapore.

Waruno Mahdi: born in Bogor, Indonesia, 1943; joined his father, a diplomat, stationed in Singapore (1946–48), Bangkok (1948–50), Beijing (1951–54), Bogor (1954–56), Moscow (1956–60); completed middle school in Russia (1960), and studied chemical engineering in Moscow (1960–65). After the 1965 military coup in Indonesia, he joined the opposition and his passport was declared non-valid. He was banned by the Soviet government to Voronezh, where he was employed as a post-graduate assistant at the Chemical Faculty, Voronezh University (1969–70), and as a chemical engineer at a Voronezh synthetic rubber factory (1970–76). He did autodidactic study of linguistics and worked on Malagasy morphophonology (1972–76). In February 1977, he managed to move legally to West Berlin without valid passport. Here, he worked part-time as a technical assistant at the Fritz Haber Institute (1978–present). He published his work on Malagasy (1988), and continued independent linguistic research on Austronesian historical linguistics, Southeast Asian comparative linguistics, history of Indonesian Malay in culture-historical perspective, published another book and numerous peer-reviewed articles.

Eric van Reijn: born in Jakarta, Indonesia, 1940 — just before the War reached Java. He moved to the Netherlands in 1946 and came back to Indonesia in 1948, before finally settling in the Netherlands in 1953. After finishing secondary school in Tilburg, he studied General History and then Indonesian Studies (including Arabic and Sanskrit) at Leiden University, the Netherlands (1959–69). He took up a lecturing position at the Universiti Kebangsaan in Kuala Lumpur from 1971 to 1974, and taught as a Senior Lecturer in the Department of Asian Languages at the University of Auckland (New Zealand) from 1974

to 2002. His fieldwork was mainly in Kerinci, Sumatra (1972 and 1976) recording and translating a folktale, the *Sijaro Panta*. He also studied Islamic Thought and published a translation of five epistles of the *Sincere Brethren of Basra* in 1995.



Figure 1
Kenduri Sko — Receiving the Guests, Tanjung Tanah, May 2008

Source: Photo taken by Uli Kozok.