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**PREDOMINANT PRACTICES OF ADAT PERPATIH PRACTISED  
BY THE MALAYS OF NEGERI SEMBILAN**

A. W. Radzuan (a)\*, S. Sukri (b)  
\*Corresponding author

(a) Heritage Department, Faculty of Creative Technology and Heritage, Universiti Malaysia Kelantan, Malaysia,  
ainul@umk.edu.my

(b) Heritage Department, Faculty of Creative Technology and Heritage, Universiti Malaysia Kelantan, Malaysia,  
suraya@umk.edu.my

***Abstract***

This paper examines the predominant practices of the customary law of adat perpatih that were practised by the Malays of Negeri Sembilan, Malaysia. Extensively as part of the intangible cultural heritage, adat perpatih was practised by the immigrant of the Minangkabau from West Sumatra and brought to the Malay land in the 19th century. Adat perpatih that was available in Negeri Sembilan today is the blended version of the existing adat in the Malay community and the customary law that was brought by the Minangkabau immigrant. However, the practices of adat perpatih in the present have been decreased due to loss of its influence, modernisation and migration of the Malays to the urban area. Thus, this study seeks to examine the predominant practices of adat perpatih in Negeri Sembilan, which is still being practised until today from the perspectives and experiences of the local Malays in Negeri Sembilan. An in-depth interviews and participant observations were conducted on the 12 research participants. Conclusively, this study has successfully indicated several predominant practices of adat perpatih that was known to the local community from the fieldwork research under few categories: the sense of belonging and identity (*suku* and *berkadim*), place attachment (the customary land), the practice of *merantau* and *muafakat* system in decision-making.

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**Keywords:** Adat perpatih, belonging, cultural heritage, customary law, identity, intangible cultural heritage.



## 1. Introduction

The customary law of *adat perpatih* has been practised by the Malays of Negeri Sembilan, Malaysia from the past until the present. Extensively as part of the intangible cultural heritage (ICH), *adat perpatih* was brought to the Malay land on the 19<sup>th</sup> century by the immigrant of the Minangkabau from West Sumatra, Indonesia. *Adat perpatih* that was available in Negeri Sembilan today is the blended version of the existing *adat* in the Malay community and also the customary law that was brought by the Minangkabau immigrants. Instead of *adat perpatih*, which represents the identity of the Malays of Negeri Sembilan in Malaysia, there are other customary laws, which are also known to the Malays and were practised in other parts of the states, namely *adat temenggung*. These two *adat* are highly regarded as one of the cultural identities of the Malays in Malaysia as they adhered the *adat* in every aspect of their lives. *Adat perpatih* follows the matrilineal system, which is reflecting on its Minangkabau ancestry through the immigration of West Sumatran people to the Malay land; meanwhile, *adat temenggong* follows the patriarchal system which inherits from the father's side (Peletz, 1996).

*Adat* derives from an Arabic word (Minattur, 1964; Sather, 2004) and translated as the 'custom, law, practice, rule' of a group of people which involves the right order of things. *Adat* is widely used in the Southeast Asian region especially across the Malay-Indonesia archipelago (Warren, 2002) in expressing their custom, tradition, practice and others. In addition, *adat* is inherited from the past and transmitted to the present by the members of the society through customary sayings, practices and others. *Adat* also involves property rights and access, marriage and inheritance, as well as local administration and the infringement of *adat* by any members of the society will result in social or supernatural retaliation. Thus, *adat* is viewed as a legal dimension that needs to be respected and obeyed (Warren, 2002). However, there is no specific term that synonymous to the term 'adat' in English, but *adat* is equal to tradition, custom, and the customary law (Peletz, 1988). Sather (2004) pointed out that the term *adat* of the Iban in Malaysia, for example, is used in the context of maintaining the harmonious relations among community members, as well as the relationship between the livings and the spiritual beings such as the spirits, gods, and also their ancestors. It is, therefore, necessary to observe the *adat*; in the life of a human being, doing so is a way to ensure good health, longevity, and material prosperity for members of the community. Having said that, the *adat* is again not only restricted to the customary law; it also applies to matters relating to social and religious life as well as provides explanation of certain cultural practices, the way they should be carried out, and in some instances, covers personal habits which contain more values and moral ideas as well as standards for meeting the expectations of others (Sather, 2004).

For the Malays, *adat* is guidance to live and is expressed through the customary sayings. *Adat* determines right from wrong and what is correct and proper; it also becomes a foundation for creating a stable and knowledgeable society, which is filled with moral values preparing people for eternal life (Selat, 2014). Selat (2014) also highlights that *adat* is an intellectual culture and a social system that becomes part of the foundation of a society, which covers every aspect of the societal life particularly with specific references in the ceremonial and religious circles (Nagata, 1974), the inheritance of land (particularly customary land), kinsfolk, and promotion of *merantau* (voluntarily migration) amongst its members, while more generally being a nerve centre or a driving force to the Malays (Selat, 2014).

*Adat perpatih*, in the first place, came into existence in Negeri Sembilan as results of the immigration of the Minangkabau males from Sumatra (Tan-Wong, 1992; Peletz, 1988; Abdul Khalid, 1992; Mohamed Ibrahim, 1968) in the 1500s or even perhaps even earlier (Peletz, 1988). It was said that the spirit of *merantau* (voluntary migration) encourages the Minangkabau man to migrate in order to find a better place and life. When this group of Minangkabau immigrants reached Rembau (part of Negeri Sembilan), they had an encounter with an Orang Asli tribe, which is known as the Jakun and falls in love with their women. Myth has it that arranged marriages between the Jakun's woman and Minangkabau's man was conducted, and due to that, a symbolic alliances between these two groups were connected especially in relation to intermarriage, trade, warfare and following that, the *adat perpatih's* social and cultural system that was brought in by the Minangkabau was introduced. However, the validity of this myth remains unclear until today (Peletz, 1988). Kling (1992) also mentioned that *adat perpatih* in Negeri Sembilan exists during the late of 18<sup>th</sup> century because the local people (referring to the Malays who resides of Negeri Sembilan during that time) have no ruler. Therefore, they went to Minangkabau and invited the Prince of Minangkabau to be their ruler, and in the end, this prince was installed as the king of Negeri Sembilan with the title of Yamtuan Besar or currently known as Yang di-Pertuan Besar Negeri Sembilan.

In 2012, the Ministry of Information and Communication of Malaysia had announced and declared the *adat perpatih* of Negeri Sembilan as part of the National Heritage List in Malaysia under the category of intangible cultural heritage (ICH) (Bernama, 2012). Hence, the term and concept of ICH has been mentioned in the UNESCO (2003, p.2), Convention for the Safeguarding of the Intangible Cultural Heritage, where the definition of ICH is referring to,

... practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity...

As can be seen from the above definition, mentioned by the Convention, the ICH is a tool to promote a sense of identity and continuity to the particular community. Thus, through the definition accentuated by the National Heritage Department of Malaysia and the UNESCO on the importance of ICH, *adat perpatih* in Negeri Sembilan becomes one of the representatives of the Malay communities' culture and identity in Negeri Sembilan and finally make it one of the contributing multicultural identities of Malaysia. Besides that, the importance of cultural identity has been discussed universally by academic scholars, government, non-governmental organisation which highlighting and stressing the importance of cultural identity of human being. Through ICH, it acts as symbols and values that represent the cultural identities of people, groups and nations (Aikawa, 2007). The notion of ICH is further stressed by Vecco (2010, p.324) who states that the ICH could give, "the immaterial, which has difficulty in becoming part of the western concept of heritage is, however, the nucleus of the definition of identity of some societies such as Japan, where the legislation protecting cultural goods encompasses individuals".

Meanwhile, Logan (2007, p.35) emphasises the importance of heritage as part of cultural identity at the “national, regional, and local, even ... family” levels. This is because heritage leads to a sense of pride that makes us feel the need to preserve and protect it. Logan also says that heritage acts as “reminders of how societies can go wrong; they provide salutary lessons for the present and future generations. Heritage, tangible and intangible provides the basis of humanity’s rich cultural diversity” (Logan, 2007, p.35).

In that sense, ICH plays important roles in the formation of social and personal identity. Besides that, identity is important in helping us to maintain our roots in the changing world. Identity was also formed from the basis of reflexive memory (Assmann & Czaplicka, 1995) with meaning and collective experience. In order to ensure the continuous presence of ICH in the lives of people, a continual interaction with and communication about it are needed, despite the changing natural and social environments, because identity is subjected to change through the process of modification and renewal that depends on time, place and others (Skrzypaszek, 2012). For example, Peletz reveals that most of the Malays in Negeri Sembilan acknowledged with their Minangkabau provenance and had different culture compared to others (Peletz, 1988; Peletz, 1994) and this gives them a feeling of ‘home’, place and reflection of memories (Naguib, 2013). Furthermore, most of the Malays Negeri Sembilan identify themselves through language by speaking the Negeri Sembilan dialect that usually associated with Minangkabau culture (Awal, Aman, & Jaafar, 2013).

Moreover, a form of identity could also be created through the strong sense of attachment towards the place. A land or place gives people a feeling of attachment and a sense of belonging, which contains contextual and cultural significance. As stated by Campelo, Aitken, Thyne, & Gnoth (2014), a place gives a special meaning to the one who attached to it. He said that, “... what constitutes a sense of place is primarily determined by the meanings given to it by those whose place it is” (Campelo et al., 2014, p.154) and the meaning comes from the interaction and experiences shared by a group of people (Campelo et al., 2014, p.161). Also, as noted by Schofield and Szymanski (2011, p.4), a place sometimes gives a sense of ownership in the case of those who live there for generations because of the memories attached to it and the stories are woven into its fabric. However, it cannot also be denied that values attached in the place are diverse based on a difference on experiences and stories of various people. Therefore, for the Malays, a great sense of belonging towards the customary land exists since the customary land is one of the identities in the formation of *adat perpatih*. It is also important to mention that, *adat perpatih* in nature is a farming society where land becomes an important asset to the community. As land acts as a place to stay, it also provides economic resources to the members and families. With land, it connects the family members and become a point to ensure the sustainability of *adat perpatih*. Besides that, the members of *adat perpatih* are usually living in a one-plot land that consists of few houses in it. All the houses have a ‘family-neighbours’ relationship, and they shared the same land to live (Selat, 2014).

In order to sustain the presence of *adat perpatih* in the Malays community of Negeri Sembilan, the community needs to engage dearly to their custom, tradition and practices. It is important because the community engagement is the right mechanism to ensure the continuity of the ICH in the future as also proposed and encouraged by the UNESCO (2003). Thus, to *adat perpatih* community in Negeri Sembilan, a continuous process to ensure the continuity of *adat* is expressed through the customary

saying or *perbilangan adat* and a member's memory plays an important role in memorising the customary sayings (Yatim, 2007). It is because that *adat perpatih* was transmitted orally from generation to generation in the form of customary sayings and it includes the rules and regulations, ethics and etiquettes or anything that the followers needed. The customary sayings consider as a book of law that must be followed though it does not exist materially (in written form). For example, the customary sayings sometimes warn the members of *adat perpatih* in a certain act, and sometimes, it proved a rule of conducts in the world of *adat perpatih*. It can be expressed, for example, to tell about the leadership hierarchy in the community as below:

*Alam beraja* (The world has a king)

*Luak berpenghulu* (The *Luak* has a penghulu)

*Suku bertua* (A *suku* has tua (elders))

*Anak buah beribu bapa* (A subordinate has leaders)

*Orang semenda bertempat semenda* (An affine has a marital place) (Kling, 1992, p.15)

Having said that, through oral transmission such as in the form of customary sayings (above), communities could "gain a sense of identity and continuity from these expressions", hence defining what ICH is from the local's point of view (Lloyd, 2012, p.147). Thus, to the Malays of Negeri Sembilan, through the transmission of knowledge and practices from their ancestors and elderly, it could give them a sense of identity and belonging and then, could practise it in everyday life.

## 2. Problem Statement

In earlier research, too much emphasis is placed on the customary law when discussing the *adat perpatih* especially in relation to its politics and administration, property and inheritance, marriage and divorce, as well as other ritual and ceremonies such as the installation of the leader and king and bereavement of the chiefs (Parr & Mackray, 1910; Gullick, 2000; Abdul Manaf, 2009; Abdul Manaf, Hussain, Saad, Selvadurai, & Sum, 2013). Peletz (1994) also mentioned that *adat perpatih* not be always a simple or normal regulation but also includes different practices and activities that associated with kinship, building and architecture, honey gathering, shamanism and traditional medicine as well as manners of everyday life. Therefore, Peletz (1994) has suggested that the notion of *adat perpatih* that is practised by the Malays of Negeri Sembilan should be re-examined to suit best with the contemporary situation.

## 3. Research Questions

This paper seeks to answer the following research question such as what are predetermined practices that were practised by the Malays of Negeri Sembilan in the presence despite concurrent hindrance in the society today.

## 4. Purpose of the Study

This study was conducted in order to understand the predominant practices that are still being practised by the Malays of Negeri Sembilan today and how these practices reflected the identity of the Malays in Negeri Sembilan as compared to other Malays in the other states in Malaysia.

## 5. Research Methods

The study of *adat perpatih* was conducted by borrowing an ethnographic principle where a fieldwork study was held in Seri Menanti, Negeri Sembilan. Seri Menanti is a small-scale area and known as the royal town where the Yang di-Pertuan Besar of Negeri Sembilan resided. 12 research participants were participated in this study and were selected based on their cultural connection and historical background that associated with Minangkabau in the past as shown in Table 1.

**Table 01.** Total research participants based on their age groups and gender

Age Groups	Gender (F)	Gender (M)
20-29	1	-
30-39	5	1
40-49	-	1
50-59	1	-
60-69	1	1
70-79	1	-
	9	3
Total	<b>12</b>	

Besides that, all the research participants of the study were ranging from 20 years old and above, disregard their gender and age groups. Based on Table 1, there are three research participants aged between 60 years old up to 80 years and considered as ‘the veterans’ and one research participant aged the late 50s was interviewed. One from the early 20s, six research participants in this study aged between 30 to 39 years and one from early 40s, were also interviewed respectively. Furthermore, all of the research participants have different profession range from professional to non-professional, and they have been informed beforehand and were presented with the consent form before the interview was conducted. Most of the interview was recorded in audio form and photographed.

There are two types of research design that were used in this study which is an in-depth interview and participant observations. The interview is a central source of data in this study to discover the experience (Dutta, 2014) perspectives (Neuman, 2006; Berg, 2007) and the perception (Hammersley, 2012) of the people on the topic. Besides that, the study also used participant observations in observing the act of people in their everyday life. The participant observations were done when the *adat perpatih* community’s behaviour and activities were observed through direct involvement with them during the fieldwork activities. All the interview data was analysed through thematic analysis; codes and themes were extracted through the process and interpreted through the help of analytical memoing. The use of thematic analysis is important in order to discover the meaning and experiences of the research participants studies lied behind the abstract voice of interviewed. Thus, a thematic analysis suits best with the study as it gave a chance to be reflexive during data collection.

## 6. Findings

### 6.1. The sense of belonging and identity

Creation of a sense of belonging and identity amongst the Malays can be seen through the representative of 12 *suku* (Biduanda, Batu Hampar, Paya Kumbuh (Pekumbuh), Mungkal, Tiga Nenek,

Seri Melenggang (Semelenggang), Seri Lemak (Selemak), Batu belang, Tanah Datar, (Tedatar), Anak Acheh, Anak Melaka and Tiga Batu) in *adat perpatih* community. *Suku* represents oneself and shows his or her root and self-background. *Suku* also evokes the sense of belonging. Self-belonging is important in representing oneself as the innate feature of human nature is 'need to belong' as claimed by Baumeister and Leary (1995). Most of the research participants (RP) in *adat perpatih* community expressed herself and himself through *suku*. The research participants are all aware of their *suku* and able to express themselves with the *suku* that they belong to. For example, RP11 claimed herself from *Suku Tiga Batu*. To discern his or her *suku* in *adat perpatih* community is considered essential because it shows where they belong. Therefore, if something happened to them, they will return to their *suku* (interview, 19 June 2015). As RP7 said that, there was a ceremony conducted just to inform the others that he returned to his family and *suku* (interview, 20 May 2015).

Further, a strong sense of a group affiliation within a *suku* leads the *suku*'s members to consider one another as a family. It is because, sharing a *suku* is considered as sharing the same blood (interview, RP11, 19 June 2015). As for that reason, to marry the individual from the same *suku* is considered as a taboo in the *adat perpatih* community (interview, RP10, 5 June 2015) because it seems like they marry to their siblings or one of the family members. Under *adat perpatih*, marriage between the children of sisters is prohibited. The reason for this disallowance is because these persons are members of the same descent group, the lineage, and also because, ideally at least, they reside in the same village. Such a marriage would be regarded as incest (*sumbang mahram*) and in former days was punished with death or banishment (Hooker, 1972, p.19). As a result, most of the research informants were well aware of this sanction, and they were very careful in choosing their partners when it comes to marriage life. The RP11 also believe of the consequences of getting married with the same *suku* as "...their kids are not beautiful and other people said that the kids would be born with a problem" (Interview, RP1, 19 June 2015).

Moreover, when a new member gets into a *suku*, a *berkadim* (being a brother) ceremony takes place, enabling the acknowledging and accepting of the new member into *adat perpatih* community. It is because, individuals who belong to the same *suku* are believed to have a common ancestress; their kinship, as well as sense of belonging, get stronger when they were among their *suku* (Ibrahim, 1992, p.46), and to some extent, fellow *suku* members can be regarded as siblings (Ibrahim, 2007). *Berkadim* is one of the predominant practices mentioned by almost all the research participants of the study. *Berkadim* means being a brother (Ibrahim, 2010) where an individual is decided to be part of the *adat perpatih* community.

## 6.2. Place attachment

In the relation between people and places, the customary land (*tanah pusaka*) is one important subject in describing the importance of land amongst the Malays of Negeri Sembilan. Customary land is considered as a sacred or the most important thing to the life of the Malays of *adat perpatih*, where it functions as a place to stay and also in making an economic contribution. It was known that the tradition in *adat perpatih* could also be expressed through its customary land. To inherit the customary land is important to the daughters of the family in the *adat perpatih* community because it acts as a guarantee of life for women (Selat, 2014). Woman and daughters inherit all the customary land in Negeri Sembilan,

and this tradition is still being practised until today. It is agreed by one of the research participants, which is RP11 as she said that, "... the Negeri Sembilan people still have practised it. It is impossible for us to give our inherited properties to the outsiders. Moreover, those properties will be given to the woman's side or the wife" (interview, 19 June 2015). Besides that, the land is a great base for those looking for safety and at the same time, to build a house and live in it. A land also acts as an economic resource too. With land, activities like farming and raising cattle can contribute to their financial resources to survive. According to RP7,

... the customary land cannot be sold. Moreover, it should be protected, and if people sell it, it will cause a problem in their life. Those, who sell it, will be facing the unexpected situation. At first, I did not believe it, and it happened after I saw the people who sell the customary land and gets trouble. So, I started believing it. Another thing, it should be remembered that that land is the customary land (interview, 20 May 2015).

In this sense, *adat perpatih* community in Negeri Sembilan demonstrated a strong relation with the place especially their attachment with the customary land. Customary land is considered a vital asset not only to women but also to the *suku* itself. The matrilineal inheritance of customary land gives women a priority in inheriting the customary land and renders the latter a security deposit for life from a woman's perspective as well as from the members of *suku*. The importance of the customary land is usually favoured towards female members in the community and draw attention to the contemporary importance of daughters concerning the inheritor of the land, in the sense that they have given a priority to inherit the customary land in *adat perpatih* community.

Thus, the customary land is important to the members of *adat perpatih* because it is considered as limelight to the family who lives in it. In this regard, the customary land is responsible for uniting the members of the *suku* as well as the family. It also becomes a place for financial resources, where the members of the family can work in it and becomes their source of income. Again, to the female members in *adat perpatih* community, the customary land becomes their assurance to survive in the society in the future.

### **6.3. The practice of *merantau***

*Merantau* can be seen as a short journey dates back to pre-colonial times (Davis, 1995) and is still being practised until the present in Negeri Sembilan. Usually, this migration happened for a limited period, and the *perantau* (traveller) could return to their home after accomplishing their purpose of travel, such as looking for jobs and other life opportunities. When they returned, they could be somebody with the new and plentiful knowledge that could subsequently be used to help develop their home community. In Negeri Sembilan, the practice of *merantau* was started from the common practice of their ancestors, which are the Minangkabau immigrants who settled in Negeri during the early years of migration. The practice of *merantau* is considered vital in *adat perpatih*, and means migration in the pursuit of a better life or to improve one's life standard. It is also known among the local people that *adat perpatih* encourages their youngsters to *merantau* in seeking knowledge (further studies) or finding a better life by gaining a good job in urban areas. For example, RP1 added that, "... my late parents were migrated to Singapore because my father worked as a British army. However, then, he voluntarily resigned. So he did

not receive any pension. He resigned because there is no one manages our customary land at the village” (interview, 18 April 2015). However, in the present day, many members of younger generations migrate to the city to further their studies, looking for a better job and a better life, as well as marrying a person from another state. In the end, many of them had settled down in a new place and start a new life. For that reason, some of the adat practices are not practised anymore. For example, RP1 mentioned that her brother originally lived with their parents in their village. However, when he got a job, he moved and settled down in the city, near to his workplace (Interview, RP1, 18th April 2015).

#### **6.4. Muafakat system in decision-making**

*Muafakat* is also important to the Malays of Negeri Sembilan because it is a basic principle of *adat perpatih* that affects discussion and decision-making. The *muafakat* literally means as a consensus agreement amongst the members and has an important influence through reaching a certain decision. For example, *muafakat* can be seen in the portrayal and discussion in *adat perpatih* community of a concept like democracy. The importance and characteristics of the decision-making process were also illustrated by the involvement of *adat perpatih* leaders such as the *Buapak*, *Lembaga* and *Undang* with the rest of *adat perpatih* members. The leaders’ involvement in the decision-making process shows how important they are, as they become guidance and a centre of reference in any matter arising. In addition, these elders also play an important role as role models for teaching about life matters more generally, as well as passing down knowledge that relates to *adat perpatih*’s oral history and practices.

Through the *muafakat* system, all the members of *adat perpatih* will sit and discuss together to settle the problem raised. All the opinion and suggestions will be heard and will be decided together. The *muafakat* system is quite similar to the democratic system in the civil society. For example, in selecting the leader in *adat perpatih* community, the *muafakat* system will be applied. Besides that, it can be seen through the consensus agreement made in the process of selection the new Yang di-Pertuan Besar of Negeri Sembilan as mentioned by RP2. He said, in order to select the new king, a meeting between the biggest four of the council of *Undang* has been made, and all the decision relies on their hand. They will discuss, who is the most suitable king (especially from the royal line) for the states. Even though the Yang di-Pertuan Besar sits in the highest position in the state’s hierarchy, but the power and the decision of the council of *Undang* are the most to be heard. RP2 has pointed out that,

We can see that everything is in a hierarchy like a stairs step especially concerning to select the leader and others. The members of society choose the *Buapak* as their head [leader] of family, and the head will choose their above people, [in this case] the *buapak* chooses the *lembaga* and the *lembaga* will choose *penghulu*, and the *penghulu* will select the *Undang*, and lastly, the *Undang* will select the king (Interview, 6th May 2015).

Thus, it is also important to note that, in every hierarchical level of *adat perpatih* institutions, everyone can voice out their opinion and ideas as well as discuss any arising matters together until he or she can reach a decision.

## **7. Conclusion**

In conclusion, all the practices that were discussed in the section above show the predominant practices of *adat perpatih* that is still actively practised in the present by the local Malays of Negeri Sembilan. The study of *adat perpatih* amongst the Malay community in Negeri Sembilan, Malaysia is important for the better future society especially to realise and understand the unique culture that represents the identity of Negeri Sembilan. From perceiving the *adat perpatih* as part of the intangible cultural heritage and anthropological perspective, this study discovers various sights in understanding the *adat perpatih* especially in relations to the formation of identity and their sense belonging. Besides that, the study can be used as a scientific reference in the fields of heritage studies and cultural anthropology in comprehending the cultural heritage of Malaysia. Thus, the results of this study may explain to the local Malays on the importance to continue the practices of *adat perpatih* and suggesting for the future studies to explore more on the relevant mechanisms to sustain the *adat perpatih*'s practices.

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