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MAJLIS ADAT ISTIADAT AND THE PRESERVATION OF THE ADAT OF THE NATIVES OF SARAWAK

Jayl Langub

INTRODUCTION

The Majlis Adat Istiadat was established in 1974 as a unit in the Chief Minister's Office to collect and store data on the customs and traditions of the natives of Sarawak. The term "native" as used in the Majlis Adat Istiadat Ordinance, 1977 means any native race which is specified in the Schedule of the Interpretation Ordinance, 1953 (Cap. 1) but does not include the Malay and natives who profess the Islamic religion.

Broadly, the objectives of the Majlis Adat Istiadat may be summed up as below:

- * To preserve the customs and traditions of the natives for posterity;
- * To nurture the customs and traditions of the natives so that they can withstand external pressures of modernization and blend with development;
- * To control and coordinate all activities relating to research on the customs and traditions of the natives; and
- * To provide advice on the interpretation of the customs and traditions of the natives so as to maintain order and development in their communities.

This paper will discuss one particular aspect of the activities of the Majlis Adat Istiadat, the codification and preservation of the adat or the customary laws of the natives.

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DEVELOPMENT OF ADAT INTO THE SARAWAK LEGAL SYSTEM

When James Brooke established his administration in Sarawak in 1841, there were already in existence among the various native communities, sets of rules which regulated and maintained order and social relationship. For minor breaches of the customs or rights of the individuals, valuable possessions such as cups, bowls, plates and small jars were used to compensate the aggrieved party; pigs and chickens were used in ritual propitiation, to "cool" the environment and appease the spirits. Major disputes were settled through traditional conventions such as diving, clubbing, cockfighting, ordeal and appropriation of property. In the early years of his administration, Brooke