

Local Wisdom Values on Customary Law Norms of the Jambi Malay Seloko Adat

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Abstract

This study aims to describe local wisdom values on customary law norms of the Jambi Malay oral tradition containing moral guidance named Seloko Adat. This study applied descriptive qualitative design. Data were collected through archival studies on Seloko Adat and interviews. Content analysis integrated with structural hermeneutics were applied to the data analysis. Findings of this study suggests that Seloko Adat contains guidance on customary law and were loaded with local wisdoms values which depict the five basic principles of customary law, that are: 1) customary law which is derived from the Holy Qur'an and Hadith; 2) customary law which is based on the old traditions which is derived from empirical evidences about truth or goodness to protecting the society; 3) customary law based on justice and fairness; 4) customary law about adhering to the truth; and 5) customary law based on deliberation and consensus.

Keywords: Jambi Malay, Seloko Adat, legal norms, local wisdom, local values

Abstrak

Studi ini bertujuan mendeskripsikan nilai-nilai kearifan lokal terkait norma hukum adat pada Seloko Adat, yaitu sebuah bentuk tradisi lisan masyarakat Melayu Jambi yang berisi panduan moral. Studi ini menggunakan desain deskriptif-kualitatif. Data dikumpulkan melalui studi pustaka, wawancara, dan pengamatan. Data dianalisis dengan metode analisis isi yang diintegrasikan dengan analisis struktural-hermeneutik. Studi ini menemukan bahwa Seloko Adat mengandung nilai-nilai kearifan lokal terkait norma hukum adat masyarakat Melayu Jambi yang tercermin dalam lima prinsip dasar, yaitu: yaitu: 1) hukum adat bersumber dari Al-Qur'an dan Hadist; 2) hukum adat berdasarkan tradisi lama yang terbukti mengandung kebenaran atau kebaikan dalam mengayomi komunitas, 3) hukum berdasarkan keadilan dan ketegasan; 4) hukum adat yang berpegang pada kebenaran; dan 5) hukum adat berdasarkan musyawarah dan mufakat.

Kata kunci: Melayu Jambi, Seloko Adat, norma hukum, kearifan lokal, nilai lokal

Introduction

Oral tradition of an ethnic group plays an important role in the society as it often preserves the nation's identity and becomes the foundation of its culture and tradition. Therefore, any attempts to document oral traditions of non-literate indigenous people have become crucial to preserve local knowledge and culture (Wan et al., 2018). Local wisdom values are knowledge of the past that serves as important guidance for life for the members of the community. Thus, members of the community must preserve, study, and understand it well (Rahima, 2014). However, problems related to local traditions preservation continue to arise in the globalized era. It is not easy for local traditions to survive and prone to extinction. Berger (1982) states that a rapid development process which ignores the wisdom of local culture and traditions, will view the local cultural values as a problem for the supporting community. This is due to lack of consideration of the sociocultural dimension which framing of life and behavior of the local community. Local cultures are in danger of extinction when they compete with foreign cultures, in the constantly changing social, economic, and political developments of the globalized society.

Seloko Adat is one of the oral traditions among the Jambi Malay community which contains local wisdom values related to policies, philosophy of life, and religion, as well as education. Previously, Seloko was a popular oral tradition understood, spoken, and practiced by members of the community. In the past, Seloko often performed on many occasions, such as wedding ceremonies. Almost every family has a member who is an expert at uttering Seloko. Today, it is now difficult to find a Seloko speaker.

According to Junaidi T. Noor, an informant of this study who is a Jambi cultural observer, Seloko is faced with problems because people lost interest in this oral tradition. Gradually, Seloko begins to diminish. The creativity of writing is dulled. There is the depletion of wisdom values in school teaching, and a re-

duction in cultural attractions. Also, many young people today prefer foreign culture to local culture. Besides, occasions and events in which Seloko performed have become lesser. Practice of Seloko is increasingly marginalized and only becomes a cultural symbol (Dian, 2019).

Concerning the situation of Seloko, the Ministry of Culture and Education of the Republic of Indonesia officially declared Jambi Malay Seloko as Indonesia's Intangible Cultural Heritage in October 2014; and started many attempts to preserve it.

Studies on Seloko have been done by academics. Nurhasanah (2004), among others, studied the symbolic meaning of Seloko in the Jambi Malay Community. Rahima (2014) studied religious values of the indigenous Jambi Malay Seloko. Dian (2019) studied the changing function of Seloko. These studies show the growing attention among academics to Seloko.

This study aims to enrich the current studies on Seloko, by focusing on the local wisdom values contained in the Seloko Malay tradition. In particular it looks at and explains the aspect of customary law norms of the Jambi Malay society.

Literature Review

Local Wisdom Values

Bakker (1984) stated that values are closely related to goodness, and despite the good facts, they can differ from one another. Kattsoff (2004) also explained that value is something important, good, and valuable. Value contains ideal norms and hopes that are aspired for the virtue of the community (Rahima, 2014). These values are found implicitly and explicitly in the Seloko Adat expression of the Jambi Malay community.

Local wisdom refers to a view of life, knowledge, and various life strategies carried out by local communities in answering various

problems they encounter in meeting their needs. Local wisdom is a hereditary habit of a group of people that are full of wisdom and good values followed by members (Mawarni, 2022).

Darmadi (2018) explained that local wisdom can be interpreted as local ideas that are wise, full of wisdom, good value, and are maintained and followed by the community. Gunawan (2003) mentioned that local wisdom is the result of an adaptation of a community that comes across generations, and that the values of local wisdom are integrated with the system of beliefs, norms, and cultural values that are expressed in the traditions adopted by the community for a long time. Therefore, local wisdom is local knowledge that is used by a local community to survive in a collective environment.

Meanwhile, according to Rahyono (2009), wisdom is produced from thought processes and wise decisions that do not harm all parties and that benefit everyone who is reached by wisdom. Wisdom can also be a learning tool about how to behave well in life for every community to become wise, intelligent, and inspiring people. In other words, local wisdom is a form of intelligence that is produced by the life experience of a community that subsequently becomes a force and driving force to improve their welfare. Taalami, et al. (2010) explained that, local wisdom is a local idea that is wise, full of wisdom, good value, maintained and followed by the community.

Seloko Adat

Etymologically, Seloko in Jambi Malay comes from the word “seloka” in Malay literature. According to Piah (1989), the concept of Seloka in Malay literature refers to a kind of old Malay poetry that does not have a certain structure or is classified as free poetry. Sedyawati et al. (2004) explains that Seloka is a type of Malay literature in the form of traditional Malay poetry. According to Syam (2001), in classical Malay literature, Seloko custom includes traditional types of expressions that contain proverbs, parables, and traditional

words that contain teaching in the form of advice, reprimands, or prohibitions in the form of a satirical language.

The Seloko of the Jambi Malay has been passed down across generations in oral form. The Seloko expression provides a metaphor which depicts human human connectedness to God. According to Rahima (2018), based on its function, the Seloko can be categorized into two, namely the Seloko tradition of law and Seloko rules of life. Seloko tradition is used to convey legal norms and customs norms in family and community life (Rahima, 2018). The use of the expression of Seloko as customary law has been part of daily habits of the Jambi community. It reinforces the values and norms in their community. In the Seloko expressions there was custom in fostering norms in its community accompanied by sanctions or customary law if there is a violation (Sagimun, 1985). The use of the Seloko tradition among the Jambi Malay community intended to provide subtle teaching or advice. Loaded with learning, advice, satire, as well as the laws and cultural values of the Malay community (Endropetro, 2015).

According to Sukatman (2009) oral traditions are all kinds of art, performances, and games that are used as speech. Sukatman also said the concept of oral literature places more emphasis on the aspect of traditionalizing his orality. This concept is related to the technical aspects of delivery or in the way to communicate these literary forms. If the story is not traditionalized before the supporters, it does not include oral traditions even though they are oral literature and have the potential to become oral traditions. On the contrary, if artistry is not accompanied by verbal utterances, it cannot be called an oral tradition. Therefore, the expression of the Jambi Malay Seloko is part of an oral tradition handed down across generations in the form of traditional expressions. In this study, the concept of oral literature and oral tradition is used as a reference in understanding the Jambi Malay Seloko Adat expression as part of the oral tradition and oral literature of the Jambi Malay community.

Law Norms in Seloko Expressions

In the life of the Jambi Malay community, there are various norms, which can be identified directly and indirectly. These norms can influence the behavior and actions of members of the community. The very sensitive norms in the life of the Jambi Malay community are religious norms, customary law norms, and moral norms (Pahlefi, 2018).

Customary law norms arise from the community, where it is obligatory that it is obeyed by an individual within a community. According to Yulia (2016), the term customary law norms refers to a social control system that lives in Indonesian society. Customary law is an unwritten rule which serves as a guideline for members of the community.

Burhanudin (2021) explained that in the context of the development of legal substances, the Indonesia formal constitution officially acknowledges customary law.

Jambi Province is one of the areas of Sumatra inhabited by Malay people called Jambi Malay Adat. According to Pahlefi (2018), Jambi Malay customary legal norms are derived from the Minangkabau, a major ethnic in the region of West Sumatra Province. There are a lot of similarities of words and legal bases between these two ethnic. However, according to the phrase *ico pakai nan balain*, the legal norms have different use. The distinction in the usage of expression shows the existence of an element or meaning of its local wisdom values. Jambi Malay have their own customary law which influences their daily interactions. Also, the existence of the traditional law community, which Jambi has long adhered to, is an area where most of the population speaks Malay. Jambi Malay customary law is a strong system of Jambi community's world view. This view can be seen in Seloko Adat (Indrayani, N., and Syuhada, S., 2020).

Cassirer (1979) stated that humans are involved to produce symbols expressed through myths, religion, customs, language, art, history, and science. In the case of Seloko, the effort to

formulate or embody the local wisdom values through the Seloko Adat is a symbolic activity carried out by the Jambi Malay community.

Seloko Adat law contains the basics of customary law and regulations, local wisdom values and knowledge of local people who can be used to improve prosperity and create peace in community (Rahima and Agustinus, 2022). Seloko contains the basis of customary law which are called the *induk undang nan limo* (five main laws). The customary law norms of the Jambi Malay community are carried out according to the foundations of traditional law expressed in the Seloko customary law.

Seloko Adat regulations are divided into two, namely *pucuk undang nan delapan* (the top eight laws) and *anak undang nan dua belas* (twelve sub-laws). The contents of the Seloko Adat of the top eight are provisions regarding various types of crime, and the twelve explain the forms of punishment or sanctions of a custom violation (Syam, 2001). The top eight laws and twelve sub-laws are the rules of customary criminal law governing the forms of crime (public law) and public order relating to the economy (private/civil law). Seloko Adat law is outlined in traditional expressions of the Seloko customary law. It is intended to regulate order and security in life, and it aims to regulate aspects of Jambi Malay community life; both individually in their social lives down to the smallest problems (Rahima, 2017).

Method

This study was conducted in qualitative-descriptive design. Data was collected through: 1) archival study; 2) interviews; and 3) observation. According to Emzir (2010), personal and official documents, photographs, recordings, pictures, and informal conversations are all sources of qualitative data. The primary data source of this research is the Jambi Malay Seloko traditional text that has been documented by the Jambi Provincial Traditional Institution in the book of *Pokok-Pokok Adat Pucuk Jambi Sembilan Lurah Jilid II* about Jambi Customary Law. The Book of *Pokok-Pokok Adat Pucuk Jambi Sembilan Lurah* is

an official document published by the Jambi Province Traditional Institute in 2001.

The data were analyzed using a content analysis method. Content analysis is a systematic technique for analyzing disguised messages (Krippendorff, 2004; and Endraswara, 2011). The data analysis was carried out in six steps: 1) data collection of texts that can be analyzed; 2) identifying texts containing local wisdom values from aspects of customary law, preparing observation sheets, and emphasizing data; 3) conducting classification based on units according to the problem; 4) conducting a unit analysis to explore the findings that have been identified; 5) determining aspects of the findings for inference, then making conclusions; and 6) conducting a comprehensive analysis according to the focus of the research problem, namely the values of local wisdom from aspects of customary law norms contained in the text.

The limitation or weakness in this study lies in the process of data analysis. Seloko customary law uses the Jambi Malay language and contains much symbolic meaning thus making it difficult to interpret the meaning. The lexical understanding of the meaning of customary law terms contained in the Seloko text is not found in the Jambi Malay dictionary. To resolve this problem, researchers conducted triangulation with informants and colleagues who are experts in the Jambi Malay language.

Result and Discussion

The values of local wisdom from aspects of customary law norms in Seloko are reflected in the five foundations of the customary law of the Jambi Malay community : 1) the divine value reflected from the legal norms customarily based on Islamic law sourced from the Holy Qur'an and Hadith; 2) the value of truth and goodness, the customary law norms based on old traditions that are proven to contain truth or good in protecting the community; 3) the value of fairness of customary law norms that are based on truth and justice; 4) the value of courage, customary law holds fast to the truth; and 5) the value of consultation and consensus

of customary law is based on deliberation and consensus. The values of local wisdom in the foundations of customary law following the essence or main ideas in the text of the customary law Seloko booklet are explained in Table 1.

Value of Local Wisdom	Customary Law Seloko Text Phrases	The Meaning of Expression
God value	<i>Titian teras bertanggo batu</i> (Titian terrace with stone stairs),	The laws originate from the Sunnah Rasul (Hadith). The laws that come from Divine revelation (Holy Qur'an).
Value of wisdom	<i>Cermin gedang nan idak kabur</i> (Big mirror that does not run away)	Existing provisions originating from the past that prove the truth and goodness in protecting the people handed down from generation to generation.
The value of firmness with truth	<i>Lantak nan ti-dak goyah</i> (Unsteady pillars or posts)	The existing legal provisions which, if amended will cause chaos, it must be maintained at all costs.
Strong courage value	<i>Tidak lapuk kareno hujan, Ti-dak lekang kareno panas.</i> (Not weathered due to rain, Not cracked due to heat).	Stick to the values of truth, not influenced by anything.
Deliberation and consensus value	<i>Kato seiyo</i> (Agreement)	Provisions that have been deliberated and agreed upon must be obeyed.

Table 1. Customary Law Seloko

In the Seloko law statement, there is the main idea about the values of local wisdom that reflect the foundations of traditional law in the Jambi Malay community. The values of local wisdom from the aspects of the legal norms of the Jambi Malay community are contained in the Customary Law curriculum related to the five legal grounds. The values of local wisdom will be discussed as follows.

Customary Law Norms Based on God Values

These local wisdom values are the main ideas of the traditional law Seloko, which says: *Titian tereh bertanggo batu* or “Titian terrace with stone stairs”. The meaning of the titian terrace refers to customary law, while the symbol of stone stairs refers to religious law that originates from the Holy Qur’an and Hadith of the Prophet Muhammad SAW. This finding is in line with Nurdin, et al. (2018).

According to Syam (2001) customary law in the Seloko is not as permanent as religious law. However, the position of both laws in the community is persistent. The implementation of customary law must in line with Islamic law. As Rahima (2017) said, the customary law should implement all rules from the holy Qur’an. Implementation of customary law against Islamic law is prohibited. This rule express in this saying:

Adat besendi syarak, syarak besendi kitabullah,

Syarak mengato, adat memakai

Syarak bebuhul mati, adat bebuhul sentak

(Customary based on syarak, syarak based on kitabullah/Holy Qurán)

Syarak says, the customary law follows. If syarak says death, so does adat.

This saying implies customary law is considered “profane,” while syarak/religious law is “sacred.” This Seloko saying shows a metaphoric relationship between human and God. According to Rahima and Ridwan (2016),

the Seloko expression implies that the Jambi Malay customary law is based on syarak or Islam, while religious law is sourced from the Qur’an or hadiths. Therefore, the legal provisions that mention syarak or religion will be implemented within the legal norms of indigenous peoples. Religious law is absolute while customary law adjusts or can be changed situationally. The custom is a habit or way of life that grows and develops following the aspirations of the supporting indigenous peoples.

Adjustment of custom and religion by the Jambi Malay community continues to be done through the belief that the source or basis of customary law is Islamic religious law that originates from the Holy Qur’an and hadiths. According to Bakker (1984), the values of local wisdom based on religious law appear in the form of observance of worship, physical health, smoothness of feeling, intelligence, and spiritual wealth. These all improve human’s wisdom. By utilizing traditional Seloko as a form of Malay oral literature, this literary language becomes a tool for seeding Islamic values and teachings. In this case, religion becomes the main source in the formation of local customs and wisdom (Noor, 2019). The local wisdom values created through religious teachings that have been internalized within individuals and reflected in their daily attitudes and behavior.

The Values of Truth and Goodness

The values of local wisdom associated with the values of truth and goodness are implied in the following Seloko customary law expression, namely: *Cermin gedang nan idak kabur*. The phrase means that customary law norms are based on existing provisions from the past. This Seloko expression reflects that in carrying out punishment to someone, the decision must refer to the existing rules and prove their knowledge and goodness. The older generation inherits and applies it to the younger generation, and the younger generation take and follow the way of older generation (Nurdin, Supian, and Denny Defrianti, 2018).

Implicitly, according to Rahima (2017), the

word *cermin* (mirror) refers to the symbol of the image of old traditions or hereditary habits, and *gedang nan tidak kabur* (while not blurred) refers to something that brings goodness and truth.

The values of local wisdom contained in the Seloko are related to customary law norms based on old traditions that have been proven to be used as a legal basis for making decisions. According to Pahlefi (2018), the provisions in force that have been lifted into law can also be called jurisprudence. This basis is strengthened by the customary Seloko phrase:

Baju bajait nan dipakai, basesap bajahami,

Batunggul parehsan, bapendam bakuburan

Ambek tuah kepada yang menang, ambek teladan kepada yang elok.

(Tailored clothes being worn, the encroachment according to

Take good luck to the victorious, set an example for the beautiful one)

This expression as customary law is a guideline when deciding a case even if it is not written. Any legal decision must be based on truth and good that has existed hereditarily for a long time. Seloko's expression makes it clear that in making decisions about a case, one must consider the habits of the past that have been carried down, which contain the values of goodness and truth in a community.

The Values of Justice and Honesty

The values of local wisdom related to the values of justice and affirmation are reflected in the following statement of the Jambi Malay customary law: *Lantak nan tidak goyah* (Unsteady pillars or posts). The symbolic meaning of this Seloko saying expresses that the customary legal norms of Malay Jambi must be based on fairness and honesty. Law enforcement does not follow the wrong or follow the wishes of the customary

leaders (Rahima, 2017). A customary leader must be a person with integrity, brave, firm, and wise, so he or she can decide to punish based on honesty and fairness. This finding is in line with Pahlefi (2018), in which he mentioned that from the aspect of customary law norms, the purpose of this saying is related to fairness and honesty, and equality in the law.

The basis of this customary law in its implementation is emphasized in the following customary Seloko phrase:

Tibo dimata jangan dipicingkan, tibo diperut jangan dikempeskan

Lurus benar dipegang teguh, kata benar diubah tidak

(When it is touch down the eye, do not squint, when it is touch down to the stomach, do not squeeze it

Be straight, held fast, the correct word should not be changed)

The symbolic meaning of this saying is that the law must be implemented non-discriminatory; and law enforcers must honestly uphold the principles of truth. Recently, these values have begun to fade among the Jambi Malay community. Honesty and truth have been abandoned by some people. Armansyah (2017) explains that in fact, Seloko Adat has a significant contribution in the context of strengthening local democratic principles, including: the principle of decision-making among government officials; the principle of justice; the principle of equality; leader wisdom; the principle of deliberation and consensus; and management and governance. Therefore, it can be concluded that the customary law norms of the Jambi Malay community are based on the values of justice and honesty.

The Values of Stickle to the Truth

The values of local wisdom from aspects of customary law norms are further related to the basis of customary law, which means holding fast to the truth. This was revealed in the

following of Seloko Jambi Malay customary law:

Idak lapuk kareno hujan, idak leang kareno panas.

(Does not weathered by rain, does not cracked by the heat)

In the context of Seloko customary law, it refers to the decision of customary law based on truth values whatever the risk. According to Rahima (2017), the phrase implies a symbolic meaning that natural events that have become absolute provisions such as rain and heat do not become obstacles in upholding the truth. Therefore, the symbolic meaning of the expression becomes the principle in upholding the truth.

Syarak berbuhul mati, adat berbuhul sentak

Dianjak layu, dianggu mati

(Syarak is bound to die, custom is bound to jerk)

Moved not withered, disturbed not dead)

The expression of Seloko means that the provisions of religious law are permanent or cannot be changed. Religious law cannot be changed, but customary law can be changed. Although customary law can be changed, customary law based on religious law must be maintained.

Religious law is a law that originates from the Qur'an. Sunnah Allah and the hadith (Sunnah Rasul) must be maintained. Religious values contained in the structure of the Seloko theme are obedience to the religious laws that come from the beliefs of God and the Prophet's hadith.

Values of Deliberation and Consensus

In the basics of customary law, the principles of deliberation and consensus are also found in Seloko. The values of local wisdom of deliberation and consensus are reflected in

the following Seloko adat expressions. *Kato seiyo* or agreement is an expression that implies that the Jambi Malay customary law norms are based on deliberation and consensus. Every complicated problem must be resolved by deliberation and consensus, then the results must be shared (Pahlefi, 2018). In its application, this expression is emphasized by the following phrase:

Kato seorang dibulatkan, kato bersama dimupakati,

(a word from one person should be considered, the group words become agreement)

Pipih tidak bersudut boleh dilayangkan, Bulat tidak bersanding boleh digulingkan

(Non-angled flat may be flung,

Rounded non-coupled may be toppled)

The Seloko quote is related to customary law decision-making based on deliberation and consensus. *Kato seiyo* is obtained through negotiations by listening to as many people as possible, in order to reach an agreement that must be recognized and followed together. All people must follow the agreement unconditionally.

The five basic customary laws revealed in the customary law terminology in their codification are called *induk undang nan limo*. The five basics of law in Seloko contain local wisdom values that reflect the outlook on life that shapes the character and personality of the Jambi Malay community. Therefore, according to their position, in establishing customary law or resolving a problem that arises in the Jambi Malay society, it must refer to the principles contained in the *induk undang nan limo*.

Conclusion

The local wisdom values in the Seloko Adat saying from the aspects of the law norms of the Jambi Malay community can be categorized into five: 1) customary law norms based

on divine values originating in the Qur'an and Hadith; 2) customary law norms based on truth or good values in protecting the community; 3) customary law norms based on justice; 4) customary law norms hold fast to the truth; and 5) customary law norms based on deliberation and consensus.

The decreased attention among members of the community to the local cultural identity, especially the oral tradition of Seloko in Jambi Malay custom must be anticipated by the government. A policy to promote and preserve this oral tradition and the values of local wisdom in Seloko is urgently needed. Educational institutions both formal and non-formal must foster and preserve traditions through their curriculum and introduce it to the younger generation. Furthermore, Jambi Malay Customary Institution as a forum for cultural coaching and preservation should enhance its existence in the community through various sustainable programs in the effort to preserve and inherit Seloko. Regeneration of customary stakeholders is also needed because they are cultural agents of the Jambi Malay. The Jambi Malay community can also revive Seloko customary law as a language strategy for the Jambi Malay community members to convey law norms which are loaded with values of local wisdom in their daily life.

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