



The Independence and Impartiality of Mosalaki in Resolving the La'a Sala Case in Ngada Regency, East Nusa Tenggara

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ABSTRACT

In Ngada Regency, East Nusa Tenggara Province, Mosalaki plays a crucial role as a customary leader in resolving disputes, including La'a Sala cases related to violations of customary marriage norms. However, the issues of Mosalaki's independence and impartiality have often been debated, particularly when faced with social pressures and local political interests. This study aims to analyze the extent of Mosalaki's independence and objectivity in handling La'a Sala cases, identify supporting and inhibiting factors, and evaluate the relevance of this role in the context of protecting the rights of indigenous communities. The study adopts a descriptive qualitative approach, combining legislative, conceptual, historical, and comparative perspectives. Data were collected through field observations, in-depth interviews with Mosalaki and community leaders, and document analysis. The data were analyzed using a thematic analysis approach, which involved coding, categorization, and source triangulation. The findings reveal that Mosalaki is capable of maintaining decision-making independence through customary mechanisms based on consensus, despite facing challenges such as family intervention, group pressure, and external interests. Factors such as customary legitimacy, community support, and an understanding of the cosmological values of La'a Sala serve as the main pillars of this independence. These findings underscore the importance of enhancing Mosalaki's capacity through customary law education and formal legal protection, thereby contributing to the development of policies that bridge customary and national law, while enriching the literature on restorative justice rooted in local wisdom in Indonesia.

Keywords: Mosalaki; la'a sala; indigenous peoples

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1. Introduction

Indonesia recognizes the existence of customary law communities and traditional institutions through Article 18B paragraph (2) of the 1945 Constitution, as part of a pluralistic legal system (Sempo, 2024; Sinaga, 2022; Wibisana, 2024). In the Ngada context, the practice of La'a Sala—a prohibited marriage between close relatives—triggers social tensions and requires effective customary dispute resolution

(Maximilianus et al., 2024). Such cases are often found in villages like Ratogesa and Inerie, where customary sanctions, such as exile or social isolation, are still enforced (Bupu, 2025).

The urgency of this study lies in the need to strengthen the independence and impartiality of Mosalaki, as customary leaders, to function effectively amid modernization and erosion of local values. (Abdul Syukur, 2020; Adi, 2024; Wati, 2021). Cases in Ratogesa Village show that Mosalaki's decisions impact not only the disputing parties but also the social cohesion of the entire customary community. Weakening Mosalaki's role increases the risk of social fragmentation, cultural erosion, and the loss of trusted community-based dispute resolution mechanisms. (Maria D, 2024).

Research on Ngada customary law remains limited. Examples include a thesis on the role of Mosalaki in resolving communal land disputes. (Undana, 2022), a study on customary sanctions in divorce cases in Inerie (Bupu, 2025), and an analysis of indigenous peoples' rights in Indonesia's new capital city development, which highlights challenges in fulfilling customary rights (Rafiqi, 2024). However, no research has deeply examined Mosalaki's independence in the context of La'a Sala and its relation to social legitimacy and equality under customary law.

The main gap lies in the lack of analysis distinguishing La'a Sala dispute resolution in Ngada from similar customary law cases in other regions. (Bupu, 2025; Maximilian al., 2024; Wardana, 2024). Existing studies are more general or fail to address unique local nuances, such as bhega announcements, exile sanctions, or the socio-magical dynamics specific to Ngada, which are absent in other customary communities, like the Batak or Sumba.

The novelty of this study lies in its integrated approach, which combines customary law analysis, social conflict studies, and perspectives on the rights of indigenous peoples. It focuses on how Mosalaki can act independently – free from family or religious pressures – to uphold justice and preserve culture. (Manafe, 2022; Riyanto, 2021; Wibisana, 2024). This approach is expected to expand understanding of Mosalaki's role as an integral part of Indonesia's social justice system.

Ngada's customary values are deeply rooted in both cosmology and social life. Violations of La'a Sala are believed to disturb cosmic balance and trigger natural disasters or misfortunes. (Firmina et al, 2024; Waja, 2024). Therefore, an independent Mosalaki role is crucial to ensure that all parties accept customary decisions without bias and to maintain harmony between clans.

This study aims to: (1) examine the role of Mosalaki in resolving La'a Sala cases in customary marriage practices in Ratogesa Village, Golewa District, Ngada Regency, East Nusa Tenggara. (2) To examine the obstacles experienced by Mosalaki in

resolving *La'a Sala* cases in customary marriage practices in Ratogesa Village, Golewa District, Ngada Regency, East Nusa Tenggara.

2. Method

This study employs a **descriptive qualitative method**, focusing on analyzing the independence of *Mosalaki* in resolving *La'a Sala* cases in customary marriage practices by identifying supporting and inhibiting factors. The qualitative method was chosen because it enables the researcher to understand the phenomenon in depth from the perspective of customary actors, take into account socio-cultural contexts, and explore the meanings embedded in the dispute resolution practices – insights that are difficult to achieve using quantitative methods.

Research Approach

1. **Legislative Approach:** Applied to examine all statutory provisions in Indonesia related to customary law, particularly the recognition of indigenous peoples and the role of customary leaders in dispute resolution.
2. **Conceptual Approach:** Used to understand the concepts of customary law and the role of *Mosalaki*, including the cosmological values underlying *La'a Sala* customary sanctions.
3. **Historical Approach:** Employed to trace the evolution of *Mosalaki's* role from the past to the present, thereby identifying both continuity and change in dispute resolution practices.
4. **Comparative Approach:** Used to compare Ngada customary law with practices in other regions, highlighting the uniqueness of *La'a Sala* settlement.

The combination of these approaches is considered most suitable because it provides a comprehensive understanding of *Mosalaki's* role from legal, historical, cultural, and comparative perspectives.

Sampling Method

The study uses **purposive sampling**, selecting informants who are most knowledgeable about *La'a Sala* cases and their resolution process. The primary informants include *Mosalaki*, clan leaders (*soma*), customary leaders, and community figures directly involved in dispute resolution, as well as residents who have been involved in or affected by such cases. The selection is based on their strategic position within the customary structure, in-depth knowledge of norms and sanctions, and direct involvement in mediation processes.

Data Collection Techniques

1. **Observation:** Conducted by directly observing the social conditions and community dynamics in Ratogesa Village, Golewa District, Ngada Regency.
2. **In-depth Interviews:** Conducted using a semi-structured interview guide to explore the perspectives, experiences, and dispute resolution practices of key informants.
3. **Documentation:** Involving the collection of archives, photographs, customary records, and other relevant documents to support field data.

3. Result & Discussion

Concept Definition

1. **Marriage**
Scholten defines marriage as an alliance between a man and a woman, recognized by the State to be together in a lifelong union. The essence stated by him is that marriage is a legal institution, both because of what is in it and because of what happens in the bond of marriage.
2. **Customary Marriage:**
Marriage in the sense of a customary bond refers to a marriage that has legal consequences under the customary law applicable in the indigenous community in the area concerned.
3. **Masyarakat Hukum Adat**
Customary law communities are also known as "traditional communities" or *the indigenous people*; in everyday life, they are more often and popularly referred to as "indigenous peoples".

Normative Review of Mosalaki and La'a Sala cases in Indigenous Community Structures

The enforcement of customary law is often done through deliberation and mediation by customary leaders, while State law enforcement officials enforce formal law. Families, especially parents, play an essential role in the marriage process. They are often involved in negotiations and decisions related to the selection of a spouse, so as not to contradict the customary law that applies in the area. The independence of a *mosalaki* can be embodied in the life of the indigenous community. As part of the manifestation and embodiment of the application of basic principles in society, the following can be explained:

Mosalaki is an elder, but not someone considered the most knowledgeable about customary matters. At the same time, *La'a Sala* is interpreted in scientific society as inbreeding or marriage between brothers who still have a very close and bonding relationship. The function of *Mosalaki* in society is not much different from the

function of customary law because the function of *Mosalaki* (customary head) is as follows:

1. Guiding members of the community on how to behave in social life, and the basis of such behavior are customs that are normative, namely customs and customary law.
2. Maintain the integrity of the community alliance, so that the coalition is preserved and not destroyed by the actions of community members who are not by community members and who are not by customary law in indigenous communities.
3. The social control is more like supervision of the behavior of the community so that the life of the Association can be maintained as well as possible.

Analysis of the Independence and Impartiality of *Mosalaki* in Resolving *La'a Sala* (Forbidden Marriage) Cases in Ratogesa Village, Ngada Regency, East Nusa Tenggara Province:

1. *Mosalaki* in Resolving *La'a Sala* (Forbidden Marriage) Cases in Ratogesa Village, Ngada Regency-East Nusa Tenggara Timur

In indigenous communities, if there is a case of *La'a Sala* (inbreeding or prohibited marriage), the *Mosalaki* will usually take steps to negotiate the communication established by the *Mosalaki*. This is due to the life of the community, which is bound in an alliance based on blood descent (*genealogical*): the prevailing procedure and role of *Mosalaki*. The situation of the indigenous community of Ratogesa Village, which is communal, really requires the role of a *Mosalaki* to coordinate and motivate the community to comply with legal provisions. The application of the *Mosalaki* principle in the *La'a Sala* case is carried out through mediation and deliberation led by a customary leader or community leader. The disputing parties are invited to sit together and find a mutually acceptable solution. Community consensus in the settlement process does not only rely on formal decisions but also involves consensus from the community.

The final decision is based on a mutual agreement that considers the interests and rights of both parties. Consideration of customary values based on the *Mosalaki* principle highlights the importance of taking into account local customs and customary practices in the dispute resolution process. This includes considering the history of the relationship between the disputing parties and the impact of the decision on the social balance within the community. In this case, the disputing parties submit the *La'a Sala* issue to a customary stakeholder or traditional leader in the indigenous community for resolution.

The customary leader will collect information and evidence from both parties to understand the background of the case. A decision is made in a consensus forum by

considering the principles of justice, customary norms, and the impact on the customary law community. Overall, the *Mosalaki* principle is a custom-based approach to dispute resolution that focuses on deliberation, consensus, and fairness, reflecting the deep values and traditions of indigenous peoples. It seeks to maintain social harmony through amicable settlement. Social harmony is achieved through fair resolution and is accepted by all parties. Therefore, the role and independence of *Mosalaki* as a customary stakeholder in the settlement of *La'a Sala* cases in the marriage practices of indigenous peoples is needed, which is the basis for *Mosalaki*'s role in the settlement of *La'a Sala* cases, namely:

- a) Justice of the Peace between communities, in this case, *Mosalaki* must be the mediator in resolving *la'a sala* cases that occur, so precise data is needed related to information about the status of family ties between the two parties and the origin of both so that it is associated with the occurrence of *la'a sala* cases in the village.

In the village under study, researchers. Based on the case data that has been researched, *la'a sala* cases get a range of 10-50% which *Mosalaki* can resolve. This demonstrates the urgency of a *Mosalaki* and his role in an indigenous community environment, particularly in resolving *la'a sala* cases. Thus, *Mosalaki*, as customary leaders, can protect and ensure peace. Therefore, every time there is a case of *la'a sala* or another issue, *Mosalaki* is the only place community members rely on to solve problems.

- b) Establishing and deciding on customary law regulations that bind the disputing parties and create harmony.

The role of *Mosalaki* is very significant in resolving *la'a sala* cases, as evidenced by the achievement of resolving *la'a sala* cases in the local area. Provisional data in the region indicate that nearly 20% of decisions on customary law regulations are made by *mosalaki*, reflecting their role in *la'a sala* cases within the local indigenous community, thereby promoting harmony.

- c) Announcing *La'a Sala* Performers

Based on facts and information obtained, the *Mosa*, *Mosa Nua*, *Mosa woe*, *mosa sa toko wolo mosa padha meze aze lewa* agreed to conduct a "*bhega*" (announce the *La'a Sala* incident to the entire local indigenous community). The agreement was made in secret and behind closed doors. This agreement is not allowed to be known by the family of the *La'a Sala* perpetrator, either the woman's family or the family of the man, to prevent physical violence or killing of the person who did the *bhega*. The local customary community calls the person or persons who committed the *bhega* as *dewa*.

- d) Nurturing the entire community adat in the settlement of *La'a Sala* cases in the marriage practices of indigenous peoples in Ratogesa Village, Golewa Subdistrict, Ngada Regency, East Nusa Tenggara Province.

The researcher interviewed Mr. Atanasius Paru. He said that *La'a Sala*, according to Ngada tradition, consists of *La'a Sala Weta Ne'e Nara*, *La'a Sala Ana Ne'e Ema* (Marriage between brothers and sisters, marriage between children and their father or mother). *Mosalaki's* role in resolving *La'a Sala* cases is as a mediator and a justice of the peace. The obstacle for *Mosalaki* is that there are individuals who are less aware and understand the solution to each *Mosalaki*, and must continuously provide information, listen, and acknowledge the actions committed are actions that are not recognized by custom, as well as the community, and all elements in the area.

- e) Finding solutions in resolving *La'a Sala* cases in the marriage practices of indigenous people in Ratogesa Village, Golewa Subdistrict, Ngada Regency, East Nusa Tenggara Province.

Mr. Antonius Ray Kadju said that *Mosalaki* is *Mosa noa pedu pado dia one nua* (a person entrusted with being a customary leader in the middle of the village). *Mosa ulu (mosa pedu)* and *laki eko (mosa pado)*, each of which has a significant influence on overcoming various problems, are prevalent in certain areas. *Mosa lina*, which means the leader who organizes according to the existing path and truth. He also explained that *La'a Sala* is a marriage that the family, customs, and the entire local indigenous community do not recognize. For example, inbreeding or forbidden marriages that cannot be united or accepted by the family according to the Ngada custom. He said that, according to local customary beliefs, the function of *mosalaki* in a *la'a sala* case is that both parties will be ostracized and kept away from the family. The reality that occurs in the local area when there is a *la'a sala* case is that the suspect or suspects will wear clothes that are not their own, be doused with kitchen ash, and be tied with wild plants, wearing a chicken cage on their head.

Method or process settlement of *la'a sala* cases by *mosalaki*, namely: If an immoral act or forbidden marriage is found, both parties will be killed and shouted in the middle of the village, and will be ostracized from the town and the ongoing or implementation of the buffalo slaughter ceremony for *nuka nua* event as a renewal in customary sanctions. The male or female party must accept and carry out the ancestral customary process that has been inherited; however, it is essential to emphasize the understanding of the church. If it is held, then the impact will be felt by both parties. If both parties come from the same ancestor, or the mothers of the two are siblings, this offers a solution to the existence of educational socialization, which is carried out within the scope of the indigenous community, encompassing *la'a sala* and its relationships.

In this case, education involves a complex understanding of the independence and impartiality of Mosalaki and its adherence to church rules, which can guarantee the lives of both parties. On the one hand, the party concerned is not accepted in customary affairs or anything related to the kitchen in the core part of the traditional house (*papa bhoko*) or *sa'o meze teda lewa* so that it is easier to take care of issues related to *la'a sala* with a deep understanding of the settlement of *la'a sala* cases by *mosalaki* and the reciprocal relationship between the church and adat. So that the relationship between the families concerned remains built on a true sense of brotherhood and prioritizes the value of harmonization as a fundamental belief, without viewing customary sanctions as central, but rather humans themselves as central.

- f) Coordinating *Soma Chiefs* in the Settlement of *La'a Sala* cases in the Marriage Practices of Indigenous Peoples in Ratogesa Village, Ngada Regency.

Mr. Heron conveyed that *La'a Sala* is an inbreeding that is not approved by custom and is considered a disgraceful thing. According to him, *Mosalaki's* independence in resolving *La'a Sala* cases is: taking action in the form of implementing customary sanctions as a restoration of good name and peace and implementing a *nuka nua* event involving all local indigenous people with a preparation of 1 month or at most 1 year while waiting for buffaloes from both parties caught in the *La'a Sala* case and the two perpetrators will also be given customary sanctions in the form of *kodo manu* (wearing a chicken cage) and ostracized¹¹. The impact of *La'a Sala* is a prolonged drought that causes the community to fail to harvest, resulting in both parties breaking off fraternal relations. So, he offers to restore ties with the Nuka Nuka, Se Da Ze'e event, and be able to listen and recognize every difference that exists amid plural community life.

- g) Find out the closeness or family ties of the two parties in the *La'a Sala* case.

Mr. Donatus Dopo Soba said that *La'a Sala* is a thing, event, or occurrence that is prohibited by custom. For example: *La'a Sala ine ne'e ana*, *La'a Sala pame ne'e ana*, *la'a sala weta ne'e nara* (Forbidden marriage). Thus, *Mosalaki*, as the guardian in a customary area, will emphasize that in daily socialization, one must go through the introduction stage so that nothing happens that is contrary to customary law, namely *La'a sala*. Therefore, *Mosalaki* plays a vital role as a manifestation of independence, given that in the local customary community, there is a case of *La'a Sala*, where a family relationship according to Ngada customs still exists. In such cases, *Mosalaki* and the local customary community are involved in the execution. Such actions as *teo bedh'i* can be interpreted as human snares that are made using bamboo ends and installed with pointed

ends, so that after the perpetrator is trapped, the bamboo will pierce the perpetrator's neck as a target of the indigenous community, which ends in death. In the view of other indigenous peoples, it is seen as an act of premeditated murder. Still, based on the beliefs of local indigenous peoples that have grown and developed, this has become a sanction that has been in effect since the ancestors or ancestors so that the independence of the mosalaki is essential for the realization of an orderly indigenous society and loves the culture that has lived in the indigenous community. He also said that if both parties are unable to prepare buffalo, then both parties will continue to be isolated in a remote area far from residential areas, so that there is no protection from the local community regarding the occurrence of actions or cases of *la'a sala* by saying the following sentence:

"*He da la'a gha da laga gha neka adha nga wado talo*", which means that after it is known that they violated the custom (*la'a sala* case), then they must be ostracized as a form of deterrent effect and overcome the disaster that will occur in the village such as wind accompanied by rain which results in indigenous peoples will fail crops that will have an impact on hunger. Previously, they were tasked with providing information manually by shouting from behind a designated location agreed upon with the indigenous community. After learning this, the Mosalaki will establish *communication with both the father and mother of the two perpetrators. After being ostracized, they will be brought back to the village and slaughter the buffalo so that they can eat with the local indigenous people in the middle of the town, without leaving a single piece of buffalo meat.*

The ideal marriage of the Ngada indigenous people is legalized through customary mechanisms and perpetuated through marriage, as expressed in the traditional saying: "*buri peka naja logo be'i ube.*" This expression can be interpreted as the seriousness or commitment of a man and a woman to live together, so that in establishing a relationship, both men and women are required to be resolved by *mosalaki* within the customary scope, which has been very massive in Ratogesa Village, Ngada Regency. The following will describe the pattern of marriage in the customary environment in the region.

1. *Papa Tewe Moni Neni*

Papa te'we moni neni is the introduction stage. As a first step to making a choice, young men and women are given the freedom to learn about each other's traits and characters and to introduce the relationship between the two parties. If, during the introduction period, a young man has found the girl of his choice and there is no blood relationship between the two parties, then they can tell their parents that their relationship is continuing. In the introduction stage, the vital thing to note is the lineage, or in the local language, *sizi-sizi ne'e tuka ghi, ngira-ngira ne'e bonu pida*. It is

crucial to make the right choice, as it concerns the interests of the entire family and tribe. This moment marks the beginning of the marriage tradition among the Ngada people, specifically in Ratogesa Village.

2. *Bere Tere Oka Pale*

Beret ere oka pale is an engagement ceremony from the male side to establish a fiancé relationship formally. The proposal process involves the groom-to-be and his extended family bringing one bamboo stick, measuring seven segments, and four coconuts. Bamboo is a symbol of strength and power, while the coconut is a symbol of femininity, in the tradition of community engagement in Ratogesa Village. Typically, parents fulfill their role as spokespersons during the engagement process. The engagement is carried out by traditional elders (*mosa*) who have experience in proposing. The young man who is engaged to his partner strengthens his love relationship by giving a beautifully engraved *oka tau tei ngia* as a memory of the fiancé's face and a ring to affirm the couple's promise.

3. *Zeza*

Zeza is a traditional marriage legalization ceremony. This ceremony serves as the basis for validating the relationship between the bride and groom (*hoga mori zua*). Parents, friends, and family members serve as witnesses at the traditional marriage validation ceremony in the local Ngada area, East Nusa Tenggara Province. The validation of the marriage is preceded by *zi'a ura ngana*, which is a prayer request that the marriage of the bride and groom be validated or sanctified by the ancestors through the natural sign of *ate ngana* (pig's heart), which is a symbol of the sincerity of the bride and groom. There is an *ungkapa* for the local customary community, namely a marriage that cannot be divorced, known as *fai haki moe go wea da lala dhape*. *La'a sala*, or forbidden marriage, or marriage that occurs between two parties who still have genealogical ties. This marriage goes against the local village tradition of marriage. In the past, couples who committed a forbidden marriage (*la'a sala*) would be expelled from the village and even killed (*tabho toko*). In the marriage practices of indigenous people in Ratogesa village, two strong endogamy discourses prevail. As a basis for inbreeding, the following reasons will be presented:

- a) *Wea ma'e ne'a, kaba ma'e pota (mabha)*, or it can be interpreted as: *kaba sa'o wea, family property cannot be given to other clans*, which is the trigger for *la'a sala* cases.
- b) Clan specificity, special customs, dignity, and glory inherited by the ancestors who were then affirmed by the *mosalaki* so that customs or belief in high culture are not quickly eroded by the rapid advancement of science and technology in the present era, or can be stated *ura ngia ma'e pota, jaga waka kita isi Ngada*.

- c) Young people should know where to find a partner to maintain boundaries to avoid forbidden marriages or inbreeding.

Marriages that violate the prohibitions or customary laws that have evolved in indigenous communities, if they occur, tend not to last long. This is because if someone violates it, it means that the woman or the man does not follow and understand the customary law that has been applied, which can be considered a stain on their family's reputation. After all, it has damaged the dignity of the extended family. In the end, once it is known that there is a perpetrator of inbreeding or inbreeding, the offense can be circumvented by *soso lelu*, which means throwing a piece of horse, dog, or buffalo skin in a predetermined place with the divination of *Tibo* (a person entrusted in a traditional house or tribe as a taju finder of the cause of inbreeding or inbreeding) or *poro ze'e* or *se da ze'e* in the form of rotten meat as payment or recovery offered with betel nut. So, everywhere inside the traditional house, at its core, and outside the home, on the street, in public places, and hidden places, people began to suspect, guess, gossip, and make estimates about the perpetrators of the offense. So that all allegations and prejudices and suspicions boil down to a pair of lovers because they have violated local customary law, and end up with the god *bhe* (the highest form of indictment), so that the case of forbidden marriage or inbreeding can be resolved.

2. Independence and Impartiality of Mosalaki in Resolving La'a Sala (Forbidden Marriage) Cases in Ratogesa Village, Golewa Sub-District, Ngada Regency, East Nusa Tenggara

1) Economic Aspect

The economy affects the culture and customs of the people in Ratogesa Village. In an area with a population, it can be observed that many residents have a weak economic status, which becomes an obstacle to resolving the La'a Sala case by Mosalaki in Ratogesa Village. As an agricultural community, the people of Ratogesa Village rely on cultivating the land for their livelihood. With an area of 99.14 hectares, 90.14 hectares of the area is used for agricultural purposes. This is one of the inhibiting factors, so that the community in Ratogesa Village is generally more focused and organized on meeting daily needs, thereby limiting their caring and social attitudes. Essentially, the people of Ratogesa Village rely on the crops they cultivate for their livelihood. The development of civilization occurs in line with the times.

The community employs a nomadic agricultural system, where land is cultivated not according to need, so it is moved to another place. This factor is one of the causes of the decline in income for peasants, and the rising market demand and low supply will also affect people's income. Mr. Yohanes Dao stated that *la'a*

sala is an event or marriage relationship between *niu ema* or *niu ana*, which refers to the status of biological nephews and still maintains genealogical family ties. YWP and VLD are examples of *la'a sala* cases that led to their exclusion from the village and the wearing of ropes made from weeds. It is an apparent fact that *Mosalaki's* independence and impartiality need to be encouraged by economic progress. The weak economic system and its development are indicators of obstacles for *Mosalaki* in resolving *La'a Sala* cases in the local area. From a financial perspective, Mr. Yohanes Watu, who is one of the traditional leaders in Ratogesa Village, explained that *la'a sala* is an event that is not wanted by the entire indigenous community because they still have genealogical ties, so they are not allowed to continue the relationship because it will have fatal consequences according to the beliefs and customs of the people in Ratogesa Village.

He also explained the obstacles experienced by *Mosalaki* when they sought to resolve or find alternative solutions to inbreeding, according to customary law, such as the absence of consent from either the male or female side regarding the slaughter of buffaloes for traditional events as a customary fine for those who had bound themselves to '*la'a sala*' cases. So that from the obstacles described, both parties will be confirmed that after the *nuka nua* event there are no new problems related to *la'a sala* that have occurred (*dhelu denu* in the typical language of the Ngada people) if it is questioned again then according to his testimony and will be sanctioned with rice, pigs and moke according to customary sanctions as a restoration of good name according to local traditions and customary beliefs or the application of customary fines and not apart from this which is often known as *lo lema lako bhanga wiwi sala*.

According to Mr. Petrus Dao, one of the sources interviewed by researchers on Monday, July 6, 2024. He said that the role of *Mosalaki* in resolving *la'a sala* cases is phenomenal and has great potential for conflict. According to him, based on the facts observed in the studied village, the problem can be seen in the lack of independence of the *mosalaki* in resolving cases individually. Meanwhile, according to Mr. Benedict Kodo, on July 7, 2024, *Mosalaki* is a leader entrusted within the customary sphere, as customary law (unwritten law) has been in existence for resolving *la'a sala* cases and other cases.

This can also be seen when focusing on the role of the *mosalaki* in *la'a sala* cases within the marriage practices of indigenous peoples, the core of which is the independence and impartiality of *the mosalaki*. It can be seen that when examining the role of *mosalaki* in *la'a sala* cases within indigenous marriage practices, the essence lies in the independence and impartiality of *mosalaki*. Since the time of the ancestors, *Mosalaki* has played a vital role, where when there is a *la'a sala* case, the

mosa or indigenous people who are entrusted will become *Dewa* (the person who shouts to notify the entire community in the village about the party caught in inbreeding).

This is to reduce the consequences or customary sanctions from the ancestors. Meanwhile, based on the cases that occurred, the obstacle faced by *Mosalaki* was the existence of binding rules (written rules) regarding inbreeding. So that irregularities may occur among the policy-observing community, he said. Based on information obtained from a *mosalaki* who is an expert in customary matters (Mr. Marsel Selu) when interviewing him, he stated regarding the role of *mosalaki* in resolving *la'a sala* cases, namely: "*go weta dhepo go weta, go nara dhepo go nara, go ema dhepo go ema, go ana dhepo go ana*", which means that in relationships that refer to serious marriage, you must learn to know the opposite sex so that there are no misunderstandings in continuing the bond or marital relationship to a more serious level. He also said that the role of *Mosalaki* in resolving *la'a sala* cases is to find solutions. For example, *Mosalaki* finds out the perpetrators of *la'a sala* cases in the following way:

Dewa wuku (the person entrusted to shout behind a hill or a place that has been entrusted by the local indigenous people, namely, at 7 pm starts shouting. With rhymes:

"o ... *hoga mena nua*" (everyone in the village found out that the prolonged rain turned out to be the cause of PND being known to be secretly bound in an illicit marriage with YWP). Furthermore, the expulsion of the two perpetrators so that the traditional ritual of *setobho bau* (umbilical cord) *mosa* will rhyme *la'a ne'e magha* (the road to return to the village). Furthermore, both parties are allowed to re-enter the town or residence, but this must be preceded by the slaughter of one buffalo, according to local custom. However, in the ongoing life of the perpetrator, the *Mosalaki* will emphasize that activities around the kitchen, in the core of the traditional house, should be avoided.

According to Mr. Yohanes Nonga, as the head of the soma of *Sa'o Pu'u Peka Lobo* (*Sa'o Dhema Lawe*). He stated that the role of *Mosalaki* in resolving *la'a sala* cases is to maintain a neutral attitude towards the parties involved in the problematic local area. *Mosalaki* is said to be *mosa niu mosa pado* or *mosa ulu eko*, which means a leader who can protect and act decisively and correctly on all issues that occur in a problematic environment. In this case, it cannot be separated from the *la'a sala* case that happened in the area. He explained that the party or perpetrator of the *la'a sala* that occurred in the area would be investigated by the *mosalaki*, so that, without waiting a long time due to the perpetrator's economic constraints, the case could be resolved by the *mosalaki* independently and responsibly.

2) Biological Aspects

Marriage is not just fulfilling biological needs (sexual intercourse). Still, to this extent, marriage aims to achieve harmony between spouses, family, and society, including adjusting to the norms and social values that apply in the family and community environment.

3) Educational Aspects

Many people who feel they know enough about adat will act arbitrarily without considering whether their actions are right or wrong, good or bad. 50% of local indigenous people do not have a proper understanding of customary sanctions.

4) Socio-Magical Aspects

Indigenous people in Ratogesa Village believe in the existence of ancestors. This is one example of a socio-magical aspect that hinders Mosalaki's free movement in the settlement of the La'a Sala case, as each element maintains its respective beliefs, thereby hampering the settlement process. In the local language, ancestors are referred to as *Ebu Nusi*.

5) Sexual Moral Aspects

Regarding the moral views of the indigenous people in Ratogesa Village, they have been indirectly described through the actions taken by both parties, specifically the relationship or bond between them. Almost 100% of the local indigenous community does not care about or understand morals and upholding the dignity of the community. Nearly 100% of local indigenous people do not care about or understand morals and uphold the dignity of God's creation.

4. Conclusion

The independence and impartiality of Mosalaki as a customary leader in the settlement of La'a Sala cases in the practice of indigenous marriage is as a judge of peace and also a customary decision maker and creates harmony within the indigenous community which must prioritize three characteristics, namely maintaining the security of tribal communities, maintaining peace among tribal people and maintaining peace among tribal people and degrees and beliefs in the area. The obstacles that often arise in the settlement of La'a Sala cases are both internal and external factors. Inbreeding significantly affects women and men. Women are forbidden to sit on the left side of the *Mataraga* (*papa leu: papa leu: papa bu'e laki or papa bhoko* which is interpreted as a special seat for women in the traditional house or the

most core room of the traditional house). Additionally, women are not allowed to cook in the kitchen, the most central room of the conventional home, and are not allowed to participate in making maki, which can be interpreted as rice guards during traditional celebrations or ceremonies. At the same time, men are prohibited from sitting on the right side of the Mataraga. Men are forbidden to sit on the right side (papa wana) of the mataraga, which is interpreted as a place to store valuables in a traditional house made of wood resembling a shelf. Men are also not allowed to take over or participate in a special room that provides meat stocks (*bha'i nge keba hui*).

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