

LOCAL WISDOM OF KINSHIP SYSTEM IN REMOTE AND ISOLATED COMMUNITIES ACCORDING TO CUSTOMARY LAW ON ENGGANO ISLAND

By:

Andry Harijanto (Faculty of Law, Bengkulu University)

Subanrio (Faculty of Law, Bengkulu University)

Hamdani Ma' Akir (Faculty of Law, Bengkulu University)

Joko Susetyanto (Faculty of Law, Bengkulu University)

Corresponding Author : andryharijantoo@gmail.com

ABSTRACT

The purpose of the study is to explain and describe the local wisdom of the kinship system in remote and isolated communities according to customary law on Enggano Island. Research methods using qualitative approaches and legal anthropology. Data collection techniques are observation, in-depth interviews and secondary data collection. The determination of informants is carried out *purposively*, that is, key informants are determined by the researchers themselves based on considerations of adequate education, position, and experience. Data analysis is qualitative, which is carried out continuously from the beginning to the end of the study. The results of the study were: (1) tribal groups and tribal branches; (2) traditional settlement patterns; and (3) traditional leadership systems.

Keywords : Local Wisdom; Antropology; Enggano Island.

A. INTRODUCTION

1. Background

Enggano Island is one of the southernmost areas among the islands located to the west of the island of Sumatra, which is 90 miles from the provincial capital Bengkulu. Enggano Island administratively has six villages, namely Apoho Village, Meok Village, Banjarsari Village, Malakoni Village, Kaana Village and Kahyanu Village.

Based on the latest data in 2021 obtained from the Enggano Subdistrict Office, the total population of Enggano is 6,420 people consisting of less than 80% of the indigenous population and 20% of the immigrant population. In general, the immigrants are Batak people, Sundanese, Javanese, Palembang people, Padang people, Bengkulu people, Minahasa people, and Chinese people. The small increase

in the population of Enggano occurs due to high enough social mobility to migrate to other areas with the aim of going to school, finding a job, getting married, or trading, the areas they are going to are Bengkulu, Palembang, Padang, Lampung, and Jakarta (BPS, 2019).

The Enggano customary law community is still guided by the Enggano cultural values system in the form of customary settlement patterns, communal customary forests, customary marriage systems, customary inheritance systems, customary hereditary principles, which are related to the kinship system of the Enggano people, namely there are five indigenous tribal groups consisting of the *Kauno* tribe, the *Kaahoao* tribe, the *Kaarubi* tribe, the *Kaharuba* tribe, and the *Kaitora* tribe. Each tribal group has at least four tribal branch groups. A tribe is a kinship group consisting of all the descendants of an ancestor-ancestor that is calculated through maternal (*matrilineal*) ancestry. To distinguish the indigenous people of Enggano from the immigrant population, there is a special designation, namely the *Kamaik* tribe.

Each tribal group is led by a chief (*ekap' u*). An *ekap' u* is responsible for all inward affairs concerning the entire interests of the citizens of his tribal group. Meanwhile, matters concerning the outside to represent all relatives of his tribal group are appointed *coordinators of ekap' u* once every six months called *paabuki*. This *paabuki* is assisted by *ekap' u* and the traditional treasurer of the tribe (*orai*). An *orai* is in charge of handling all financial affairs and goods obtained from customary fines and voluntary donations (Andry Harijanto, 1997).

Customs that have been institutionalized become institutions of customary law. The Enggano customary law institution is called the *yahauwa* institution, as a customary peace institution to resolve any disputes. If there is a dispute between residents of different tribal groups, it is resolved through the *institution of yahauwa*. This *yahauwa* institution is to restore the disturbance of balance and the disturbance of the goods of material and immaterial life. *Pranata yahauwa* is an institution that maintains the order, security, and resilience of life

of the daily Enggano tribal groups. The *institution of yahauwa* in resolving any dispute stems from the norms of customary law, which become guidelines for people's daily lives. These norms of customary law are enforced for everyone who settles on Enggano Island (Andry Harijanto, 1997).

The system of harmony, harmony, and tolerance of social life based on local wisdom with the Enggano customary kinship system, which is owned by the Enggano indigenous law community, consists of tribal groups, traditional settlement patterns, traditional leadership systems and community systems. This needs to be an example for other regions in Indonesia not to continue to fight just because of migrant and indigenous problems, ethnic and religious differences and their adherence to the indigenous kinship system that needs to be appreciated.

The Enggano indigenous law community is a remote, isolated and outermost island in Indonesia but has a local wisdom kinship system according to enggano customary law that is so extraordinary, that this is able to reduce

potential conflicts in its territory. Enggano's ancestors as their ancestors consciously made a new policy (local wisdom) to provide a place for migrants to become part of the Enggano customary law community and submit to the Enggano customary law, including Islam which entered and developed as the last religion to enter Enggano Island. In fact, the life of the Enggano customary law community consisting of people of different religions prioritizes daily social life based on Enggano cultural values, whose forms include traditional settlement patterns, customary kinship systems, forms of customary marriage, help, customary law norms, traditional leadership systems (traditional functionaries), and customary law institutions. Meanwhile, formal governments such as Subdistrict, Kelurahan, Subdistrict Sector Police (Polsek), Babinsa, and Koramil are only used by the Enggano community which consists of a diversity of people for formal affairs only or black on white, such as ID cards, family cards, school permits, medical permits and so on.

This is because the ancestors as the ancestors of Enggano imagined that one day Enggano Island would be crowded with migrants. These entrants will come up with their new cultural values, which are feared to affect the cultural values of the Enggano people. Therefore, the Enggano customary law community is willing and accepts the immigrant tribal groups with airy chests, but on the condition that they submit and obey the values of the ancestors of the Enggano people, namely the local wisdom of the Enggano customary law kinship system, among the articles stipulating that every migrant person enters Enggano Island, whether as a permanent resident or as a temporary resident for 24 hours, is required to report and is considered a *Kamaik* tribe . So that if there is a violation of custom by these migrants, they can be subject to customary sanctions which are regulated in the kinship system of enggano customary law.

Therefore, the functioning of local wisdom of the enggano customary kinship system, especially in daily community life, is very urgent to write this scientific paper, so that it can

also be known the values of Enggano customary law such as the principles of customary law, the rules of customary law, the basics of customary law, and the norms of customary law.

2. Problem Formulation

The social life between remote and isolated tribal residents on Enggano Island can create order, security, peace and well-being, because it is based on local wisdom values about the kinship system according to enggano customary law. Therefore, how is the local wisdom of the kinship system in remote and isolated communities according to customary law on Enggano Island?

B. WRITING METHOD

Writing method using qualitative approaches and legal anthropology. Data collection techniques are observation, in-depth interviews and secondary data collection. The determination of informants is carried out *purposively*, that is, key informants are determined by the researchers themselves based on considerations of adequate education, position, and experience. Data analysis is qualitative, which is carried out

continuously from the beginning to the end of writing.

C. DISCUSSION

1. Tribal Groups and Tribal Branches

According to oral stories circulating in the Enggano community, that before the flood catastrophe in the time of the Prophet Noah hit the Enggano Islands, there was already a group of men who inhabited the islands, after the flood there was only one survivor, he could be on a wooden tree higher than the surface of the flood. The person is called Kamanipa. When the flood began to recede and the mainland of the Enggano Islands returned to normal, then he felt hungry and came down from the tree to find food. When he was walking around looking for food, he found that no one was still alive.

He first searched for food on land, but found no food, then proceeded to the sea to fish. A bark of a tree was taken (the Enggano people call ahoao) which was used to stab rock holes, which fish or other sea animals usually hid. The rock hole is pierced with ahoao so that the fish can get out of hiding, but not get the fish. The

abandonment of an ahoao and the retrieval of a heart of hard wooden trees (the Enggano people call itora), which were used to pierce rocks, but did not get fish. Next, an upright and straight wooden tree trunk was taken (the Enggano people called arubi), a visible wooden branch (the Enggano people called uno), and a strong and sturdy branch of the wooden tree (the Enggano people called haruba), all three of which were used one by one to pierce holes in the rock, but did not get a single fish.

In the end, Kamanipa felt exhausted and stopped for a while to rest by walking to the shore, then sitting on a large wooden tree that collapsed on the beach. When he looked back, his heart was shocked as hell because miraculously suddenly five women appeared who were already standing in a row behind him. He asked the five women, where did you suddenly come from here? The five women replied that they were one by one outward from the rock holes that had been pierced using ahoao, itora, arubi, uno and haruba. Then Kamanipa gave the names of the five women after the name of the wooden shape used to pierce rock

holes, adding the prefix *ka* which in Enggano language means to use something to do work. Thus the names of the five women, are *ahoao* to *kahoao*, *itora* to *kaitora*, *arubi* to *kaarubi*, *uno* to *kauno*, and *haruba* to *kaharuba*.

Based on the legend of the origin of the five people, five groups of Enggano tribes were born, namely *Kaahoao*, *Kaitora*, *Kaarubi*, *Kauno* and *Kaharuba*. These five groups of Enggano tribes are recognized as natives of Enggano Island. The following is a picture of 2 origins of the five Enggano tribal groups: In examining the Enggano tribal groups, the concept of the *great klen* from *Koentjaraningrat* (1980: 121) is used, which is to explain the kinship of the Enggano ethnic group. A tribe is a kinship group consisting of all the descendants of an ancestor-ancestor that is calculated through a maternal (*matrilineal*) lineage. The ancestors of a tribe had lived dozens of generations ago, so the tribesmen could no longer trace it in real time. The citizens of the tribe no longer know their respective blood relationships. They recognized his ancestors as ancestral figures who were

considered sacred and respected in their belief system.

In addition, to examine the branches of the Enggano ethnic group, the concept of small *klen* from *Koentjaraningrat* (1980: 119) is used, which is to explain the kinship group of the Enggano people called the tribal branch. A tribal branch is a kinship group consisting of a group of self-sensing nuclear families, derived from an ancestor, and one with another bound by maternal lineage. The residents of the tribal branch still know their respective kinship relationships in three or four generations and above, because most of the residents of the tribal branch where they live in one residential location.

The *matrilineal* principle results in that each individual in tribal groups all relatives of the mother fall within the limits of her kinship. Rights and obligations of a tribal citizen according to maternal tribal relatives. The symbol of respect for women is known as a true mother called *kahuaei*. A real mother is a woman who is aged and respected by all the relatives of the tribe. All the utterances and fruits of the true mother's mind must be heard

and considered in traditional deliberations. Thus a true mother in the life of the Enggano tribes strengthened the principle of *matrilineal descent*.

The principle of *matrilineal* descent among tribal residents is most prominent in certain events such as traditional marriage ceremonies, traditional death ceremonies, assisting in clearing paddy fields or gardens, assisting in mutual aid to establish new homes, and helping to resolve disputes between tribal residents. The ancestors of the tribe have lived dozens of generations ago, so the tribesmen cannot trace again with certainty. All relatives of the tribe admit that their ancestors were ancestral figures who were considered sacred and respected. This ancestral figure in Enggano language is called *nap' ua* which means 'ancestral spirit'. They also still believe that ancestral spirits always watch over their descendants and have a profound effect on the behavior of daily life. Every citizen who will perform traditional ceremonies such as marriage or death, must previously perform a ceremony honoring the spirits of their ancestors. This tribute ceremony is intended to plead with the spirits of the

ancestors so that their children and grandchildren are always guarded and kept away from danger, so that the implementation of traditional ceremonies can run smoothly and not experience obstacles.

The tribesmen always live in groups, each tribal group has its own residential area and does not mix with other tribal groups. The residential area of this tribe by the Enggano people is called *ma' aoa*. Each tribal group consists of several tribal branches. The citizens of the tribal branch are more familiar with its kinship albeit vaguely. The entire relatives of the tribal branch are still one descendant in three or four generations and above. Each branch of the tribe consists of several nuclear families whose adjacent residential locations form a settlement area of its own. The territory of this settlement by the Enggano people is called *kaudara*.

The residents of the tribal branch can grow, so that the *kaudara* becomes dense and requires new *kaudara*. Then the chieftain (*paabuki*) held a *musayawarah* (*panau*) with other tribal branch chiefs (*ekap' u*) to form a new branch of the tribe, but not apart from the branch of the parent tribe.

The residents of tribal branches may also be reduced because the residents no longer give birth to daughters. Therefore, the descendants of girls are highly expected by the residents of the tribal branch. If this kind of thing happens, the chief holds deliberations with the heads of other tribal branches to merge the branch of the tribe with another branch of the tribe that is still the descendant of one parent tribe.

After Enggano Island became an administrative region of the subdistrict government consisting of several villages, the ties of the residential area from the *kaudara* were determined based on the norms of ordinary social relations, however, the status of *the kaudara* area did not disappear. The residents of the tribal branches who had settled in other villages remained oriented and attached to their own *kaudara*. All problems faced by the residents of the tribal branch are always notified to the head of the tribal branch and resolved in his *kaudara*.

Another important kinship group is one ancestry of grandmothers (the Enggano people call *pots*).

Stoneware is a group of descendants based on one grandmother with her children and grandchildren. This one group of descendants is still very prominent in everyday life. Every day the house where her grandmother lives is always crowded with her children who have settled down and live in their own house, either just chatting or staying overnight. A child often visits the house where his grandmother lives just to take care of the children, provide fish catches, and provide the results of paddy fields or garden land.

One of the smallest kinship groups in the daily life of the Enggano people is the nuclear family. This nuclear family is a unit that inhabits one house (the Enggano people call *iyuba*), they generally consist of a man and a woman who are bound by traditional marriage (*pape-eapa'iyoya*) and religion, and are supplemented by their children. At this time the nuclear family home whose members are located close together still has a relative relationship based on the descendants of one grandmother, the descendants of a tribal branch, the descendants of a tribe, or offspring due to marital relationships.

In the life of such people tend to prioritize the interests of the nuclear family. After the nuclear family catches up with the relatives of one grandmother's descendants, the descendants of the tribal branch, and the relatives of the descendants of the tribe, only then will the interests that concern the village or village. This habit can be seen from their close relationship when building a new house or opening up new land for gardens and rice fields, so the first time they are asked for help are siblings, relatives of one grandmother's descendants, then new relatives of descendants of tribal and tribal branches. To the extent of this kinship relationship tends to be mutual aid for the benefit of all tribal relatives. In terms of relationships related to villages and villages, it is more *reciprocal with real merits*, such as giving food, gifts, and the reward of a certain amount of money to take home after the work is completed. A married tribal citizen prioritizes the independence of his own household. The nuclear family who has not been able to separate from their parents will live in a separate house, but it is still in

the same yard as the house where their parents live.

2. Traditional Settlement Patterns

In the past the traditional settlement pattern of the Enggano Island tribe was a territorial unity from the smallest form to the largest form in the following order: *kaudara*, *anai'ya* and *ma'aoa*. The following describes the traditional settlement patterns of the Enggano tribe which include *kaudara*, *anai'ya* and *ma'aoa*:

a. Kaudara

Kaudara are several nuclear families whose adjacent residential locations form one residential area of their own. Each *kaudara* is inhabited by 50 - 60 individuals. The residential area of one tribal group consists of 4 - 14 *kaudara* covering tribal *kaudara* and *kaudara* branches of its tribe. *Kaudara* tribe is a senior *kaudara* which is the location of the residences of *paabuki*, *kahuaei*, *orai*, and traditional houses (*eyana'a*). Therefore, the senior *kaudara* became the center of activities of all tribal relatives such as traditional musayawarah (*panau*) and traditional peace (*yahauwa*).

The residents of *kaudara* always move from one location to

another in the interior of Enggano Island. The location of these moving *kaudaras* corresponds to their main livelihood, which is to move around by logging and burning. In addition, it is a belief of the tribal people that every *kaudara* whose citizens have died, the *kaudara* will be ruled by evil spirits. Therefore, the *kaudara* had to be abandoned immediately and moved to another location to establish a new *kaudara*. The location of the *kaudara* moved around causing tribal residents to live in *the kaudara* scattered with relatively far distances.

The houses *where the residents* live are round (*kakadiye*). Each round house is inhabited by a nuclear family consisting of a husband and wife and their unmarried children. The pillars supporting the house are made so high that it is intended to make it difficult for the enemy to attack. To ensure the safety of the house, it is equipped with a ladder made of a wooden stick that is given grooves, so that if at any time there is a danger such as the arrival of enemies or wild animals, the ladder can be lifted to the top of the house. Round houses are relatively very small in size with a

diameter of the 2nd - 3 m floor circle, while the inner height of the house is between 1.5 - 2 m. The support poles of the house are 4 pieces with a height of between 3 - 4 m. The main materials used to make round houses are merbau wood and apuha. Merbau wood is used for supporting pillars of the house, while apuha wood is used for the floor of the house. The walls of the house and the roof of the house are made of nipah leaves. In addition to the round house there is also a traditional house called *eyana'a*. Traditional houses have the same shape as round houses, which distinguishes the larger size and the presence of wooden floors at the bottom of the house. The lower part of the house serves as a place for *panau* and *yahauwa* to be held.

Since the end of the 19th century the Dutch East Indies government has succeeded in unifying the Enggano tribes and moving their settlements from the interior to the coastal areas, hence the settlement pattern. Previously the location of the *kaudara* was scattered in various inland areas of Enggano Island, since then the location of the *kaudara* is located along the east coast of Enggano Island

approximately 100 m from *the* coastline. However, the distance between one *air* and another *is* still relatively far apart.

One *kaudara* consists of the location of the settlement, the location of the garden land, and the location of the rice field. Each *kaudara* there are 1-2 wells and one hut where to store boats located near the beach. The location of the *kaudara* on the side of the main road is based on several economic considerations, namely in other places it is still overgrown with various productive plants such as coconut, melinjo, breadfruit, and coffee. Each *kaudara* resident determines the boundaries of the garden by making engravings on the trunks of trees, so that the garden does not need to be fenced.

At this time, there are no more *kaudara* residents who build residential houses and traditional houses that are round in shape with very high pillars supporting houses, but the houses where they live are already square shapes that extend to the back and are made of wood. In general, houses measure 9 X 3 m with an overall house height of about 5 m. The shape of the

house is still a stilt with wooden support poles up to 1 m high. The basic building materials of the house are apuha wood, nehe wood, and merbau wood, the wood is used for support poles, house floors, window frames, and house doors. The walls of the house are made of woven bamboo or woven bark of salak trees, while the roof of the house is made of nipah leaves.

At this time, traditional houses were never specially built by *kaudara* residents, but each tribe always had a residential house that was used as a traditional house. This traditional house is also the residence of a *kahuaei* and *orai*.

Changing the shape of the traditional house from a round shape to a square shape was recommended by the Dutch who considered that a round house shape did not meet health requirements. The house where the Kaudara residents live consists of ko'oma, yu'uyohob, hobbydi', pahbueh, and note. Ko'oma means the porch of the house, which is a place for various daily socio-economic activities such as a place to relax while chatting between parents and their children or neighbors,

a place for their children to play, and a place to fix fishing nets damaged by a father. helped by his son. Yu'uyohob means living room, which is a place to receive official guests. Hobidi' means bedroom, which is a place to rest, usually there are only one or two bedrooms in each house. Pahbueh means kitchen space, which is a place for cooking as well as a dining room. Note means the attic of the house, which is a place to store rice and household equipment that is rarely used.

The increase in population through marriages between members of the Enggano tribe and with immigrants who settled on Enggano Island, the exclusive nature of a kaudara which was originally only inhabited by descendants of one tribe began to fade, because other individuals from different tribes began to mix. . Apart from that, the real structure of the settlement area of the Enggano people is the village. The village is a place where individuals from different ethnic groups live, including immigrants. However, the status of the territorial unit of a kaudara does not disappear, that is, when a member of the tribe who

has lived for years in another kaudara, if he encounters a problem, he will always inform his paabuki and it will be resolved at his eyana'a.

More and more migrants settled on Enggano Island, such as getting official assignments, looking for agricultural land and plantations, or trading, so many permanent and semi-permanent houses began to be built. Permanent houses with cement floors, brick walls and tin roofs; while semi-permanent houses have cement floors, clapboard walls and tin roofs. Apart from that, many traditional houses of the Enggano people are starting to be built which no longer have stilts. The locations of the settlements of the Enggano Island villagers are in groups and neatly lined up facing the main road, one group consists of 5-10 houses. The distance between one group of houses and another group of houses is very far. According to history, each group of houses was a former migration of a relative from the interior of Enggano Island. Until now, every house has a large yard with various plants such as fruits, vegetables, and even coconut, melinjo, coffee, cocoa, and cloves.

b. Anai'ya

Anai'ya is a unitary residential area consisting of 2-3 districts located close together. Anai'ya aims to foster cooperation between fellow Kaudara residents who focus more on issues of mutual assistance in everyday life such as cultivating rice fields and garden land, opening new land for rice fields and gardens, repairing and building houses. In the past, when the location of anai'ya was in the interior of Enggano Island, its residents only came from the descendants of one tribe. After the location of the tribal settlements was moved to a coastal area, the residents of anai'ya did not always come from the descendants of one tribe but some came from the descendants of different tribes, including the descendants of immigrant tribes.

c. Ma'aoa

Ma'aoa is a residential area unit consisting of 2 - 7 anai'ya which are located close together. Ma'aoa aims to foster cooperation between fellow tribesmen. This cooperation is mutual in nature which can occur incidentally, namely when carrying out traditional ceremonies such as death, marriage and

peace. A tribal member has a *hajat* (gawe) to celebrate a traditional wedding party, so tribesmen who are included in the *ma'aoa* are obliged to help pay for the traditional wedding ceremony. The women members gave donations in the form of rice, sugar, coconut oil and garden products such as bananas, cassava, peanuts and coconuts; while the male residents donated their labor to participate in searching for wood in the forest, looking for fish and turtles in the sea, and helping to set up places for traditional weddings such as guest booths, entertainment booths, and cooking stalls.

In the past, when the location of the tribal settlement was in the interior of Enggano Island, all the *Ma'aoa* people came from the descendants of the same tribe. After the location of the tribal settlements was moved to the coastal area, the *ma'aoa* residents did not always come from the descendants of the same tribe, but some came from the descendants of different tribes, including the descendants of immigrant tribes. After the administration took effect, the Enggano Island District consisted of 6 villages, namely

Malakoni Village, Apoho Village, Meok Village, Banjarsari Village, Kaana Village and Kahyapu Village, so that the Ma'aoa area turned into a village area. The everyday life of the tribal people still recognizes the existence of ma'aoa, namely ma'aoa Malakoni, ma'aoa Apoho, ma'aoa Meok, ma'aoa Banjarsari, ma'aoa a combination of Kaana and Kahyapu.

3. Traditional Leadership System

In the past, Enggano Island often had wars between ethnic groups to fight over land and territory to make ends meet. At the end of the 19th century the Dutch East Indies government managed to reconcile the five existing ethnic groups. The Dutch East Indies government proposed that to maintain the peace it needed a leader who could unite the five ethnic groups. The bond of unity of the five ethnic groups by the Enggano people is called kahai yamuiya. A kahai yamuiya leader is chosen from one of the five chiefs (ekap'u) with the following conditions:

- a. An ekap'u who comes from one of the tribal groups.
- b. Old enough to be a leader.
- c. Physically and mentally healthy.

d. Understand and live up to the Enggano customs.

e. Can read and write.

On December 10, 1929 a vote was held and the one who was elected to be the leader of the kahai yamuiya was Heman Kauno, then he was appointed the leader of the kahai yamuiya and was given the title "king" by the Dutch East Indies Government. The life of the Enggano tribes actually did not recognize the royal system as the highest leadership institution, but the position of king was introduced by the Dutch East Indies Government.

During the reign of the Dutch East Indies, the Enggano Island area was called a marga.

Marga is an area which is an amalgamation of all ma'aoa in Enggano Island. The formation of a new traditional leadership structure, namely the kahai yamuiya led by the king, then in the field of government all the responsibilities of the tribal chief (ekap'u) shift to the king's hands. In addition, the king is also the head of the clan who has the following duties:

- a. Repairing roads, guest houses, constructing buildings at the port, irrigation, rice fields,

establishing a schedule for the rice planting season, and ordering new land to be opened for gardens. All of this work is done in mutual cooperation by all members of the tribe.

- b. Collecting money is appropriate if the Enggano people want to earn income from the sea by catching fish, shrimp, lola and sea cucumbers, while earning income from the forest by taking rattan, wood and melinjo.
- c. Collects a sales tax of 10% (the price on Enggano Island) from the proceeds from the sale of wood by Enggano people.
- d. Collecting income tax from Enggano people.

After the administrative administration of the Enggano Island District took effect, the king's position as leader of the kahai yamuiya and head of the clan was no longer valid. The five Enggano ethnic groups are led by a coordinating tribal chief called Paabuki and is responsible for all matters relating to the interests of the

tribal people. In carrying out his duties, the paabuki are assisted by tribal chiefs (ekap'u). An ekap'u is only authorized to take care of problems among members of his ethnic group. In addition, ekap'u is also assisted by a customary secretary (orai). An orai is also a true mother (kahuaei) who is in charge of handling all financial matters and goods obtained from customary fines.

The following describes the traditional tribal leadership system in the Enggano Island District including paabuki, ekap' u, and orai.

a Paabuki

Paabuki is the oldest, smartest, and strongest man among the tribe and serves as the coordinator of the chief of the tribe. Paabuki's position was not by election, but by appointment by previous paabuki through a tribal meeting attended by all tribal chiefs (ekap'u), a traditional secretary (orai), and a true mother (kahuaei). This method of appointment was considered the best, because previously the paabuki were the people who best knew which of the tribe members was most appropriate to replace the paabuki position. In addition, a person who will

be appointed to become a paabuki is recognized by the tribal members as someone who truly masters customs, traditions and customary law rules, so that later becoming a paabuki is able to pay attention to and take care of the interests of the tribe, both in words word or deed.

The coronation of the new paabuki was carried out in a traditional ceremony which was attended by all kahuaei, ekap' u, orai and their tribal members. In the traditional ceremony of crowning the new paabuki, the old paabuki wears a crown and gives a sword wrapped in white cloth to the new paabuki. If the old paabuki dies, it can be replaced by another paabuki who has a close relationship with the tribe. This crown is made of sea urchins which the Enggano people call yako lumpurkui. The crown and sword are symbols of the highest chief among his tribal relatives. The white cloth is a symbol that the coronation is done with good intentions and a clean heart.

Paabuki is in charge of managing and supervising all issues of all ethnic groups on Enggano Island, namely leading and legitimizing traditional deliberations such as marriages, deaths

and difficulties in life. In addition, paabuki are obliged to resolve disputes that occur between members of ethnic groups.

b. *Ekap' u*

The chief of the tribe (ekap'u) is the oldest man, has a good personality, is prominent among the relatives of a tribal group, and holds the position of head of the tribe. The position of ekap'u was not by election but was appointed by the previous ekap'u through a deliberation of his fellow residents which was attended by paabuki, kahuaei, and all other ekap'u. Ekap'u had previously appointed a male member of his ethnic group who would later replace his position. This is based on the consideration that ekap'u candidates are old enough (over 45 years old), have a daily life behavior that is not reprehensible and understand and understand the customs of Enggano Island.

The new ekap'u coronation was carried out in a traditional ceremony which was attended by paabuki, kahuaei, all ekap'u, and members of their tribe. The new ekap'u coronation ceremony was led by paabuki. In this coronation ceremony paabuki gave a

machete wrapped in a white cloth to the new ekap'u. The machete is a symbol of manhood to protect its tribesmen, while the purtih cloth is a symbol that the coronation is carried out with good intentions and a clean heart.

Ekap'u only has the authority to control all matters among members of one ethnic group, namely to lead and legitimize the Kaudara deliberations such as those to help with marriages, deaths, and life's difficulties. In addition, ekap'u is obliged to resolve disputes that occur between members of one ethnic group, while problems outside the ethnic group, such as marriages or disputes between members of the tribes, ekap'u's position only acts as a paabuki representative and has no right to provide any decision without Paabuki's approval.

c. *Orai and Kahuaei*

Orai is the oldest woman among the relatives of the same tribe and serves as the treasurer of tribal customs. The position of this orai was passed down from generation to generation by a previous orai to the oldest daughter in his tribal relatives. An orai is also a kahuaei, namely a true

mother who is a symbol of respect for women. In tribal meetings, every word and thought of kahuaei must always be heard and considered by tribal relatives. In addition, when a member of the tribe receives important guests related to the tribe, such as giving news about calamities, deaths and marriages, then he must first introduce his guest to kahuaei.

An orai lives in a traditional house (*eyana'a*), which is a place to carry out various activities such as tribal meetings to prepare for traditional marriage ceremonies and traditional death ceremonies, and carry out traditional peace ceremonies in resolving disputes. Therefore, an orai's house becomes a place to store and care for goods as well as some money from the customary fines paid by a member of the tribe who is considered guilty.

An orai's house also keeps and takes good care of the heirlooms left by the ancestors. According to the belief of the Enggano people that the heirlooms left by their ancestors are sacred and cannot be owned and kept by just anyone. These heirlooms are used for traditional ceremonies such as

marriages and the coronation of a new paabuki. The heirlooms left by the ancestors include:

- a). 5 bracelets and a necklace made of sea shells.
- b). 1 ancient spear about 200 cm long.
- c). 1 heirloom sword is about 50 cm long
- d). 1 ancient crown made of sea urchins.

At this time the objects left by the ancestors were never used again.

D. CONCLUSIONS AND SUGGESTIONS

1. Conclusion

The local wisdom of the kinship system in isolated and remote communities according to customary law on Enggano Island consists of: the existence of five indigenous ethnic groups namely Kaahoa, Kaitora, Kaarubi, Kauno and Kaharuba. As well as other tribal branches, the traditional settlement pattern consists of kauudara, anai'ya and ma'aoa. And the traditional leadership system consists of. Paabuki as a man who is the oldest, smartest, and strongest among the tribe and serves as the coordinator of the chief of the tribe. Ekap'u is the oldest male, has

a good personality, is prominent among relatives of a tribal group, and holds the position of head of the tribe. Orai is the oldest woman among the relatives of the same tribe and serves as the treasurer of tribal customs. An orai is also a kahuaei, namely a true mother who is a symbol of respect for women.

2. Suggestion

In the life of society, nation and state in the Unitary State of the Republic of Indonesia (NKRI), which has stated that Pancasila is the foundation of life and the foundation of the State, but in reality there are still many debates, disputes and quarrels only due to differences in religion, ethnicity, culture and place of Origin. So it's best if this is very urgent to learn from the Enggano people about the model of harmony between isolated and remote communities like on Enggano Island.

BIBLIOGRAPHY

Andry Harijanto, 1997, *Perkawinan Adat Dalam Perspektif Antropologi Hukum Studi Kasus Perdamaian Adat Sebagai Syarat Perkawinan Di Kecamatan Pulau*

- Enggano, Tesis, Program Pascasarjana Program Studi Antropologi Universitas Indonesia, Jakarta.
- Andry Harijanto dan Merry Yono, 2012, *Penyelesaian Sengketa Tanah Menurut Hukum Adat Enggano*. Benhkulu: Laporan Penelitian Fakultas Hukum Universitas Bengkulu.
- Benda-Beckmann, F., 1986, "Anthropology And Comparative Law", dalam *Anthropology of Law In The Netherlands* (Editor K. Benda-Beckmann dan F. Strijbosch), Dordrecht-Hollands/Cinnaminson-USA: Foris Publications, hlm. 90-109.
- Bogdan, Robert dan Steven J. Taylor, 1975, *Introduction To Qualitative Research Method.*, John Willey Sons, New York.
- Ganefi, Sudirman Sitepu, Budiyono, dan Merry Yono., 2006, *Model Pelestarian Keanekaragaman Hayati Taman Nasional Kerinci Seblat (TNKS) Berbasis Norma-Norma Hukum Adat Rejang Di Kecamatan Rimbo Penghadang Kabupaten Lebong*, Laporan Penelitian Hibah Bersaing. Bengkulu: Lembaga Penelitian Universitas Bengkulu.
- Griffiths, J., 1986, 1986, *Recent Anthropology Of Law In The Netherlands And Its Historical Background*, Dalam K. Benda-Beckmann and F. Strijbosch, *ANTHROPOLOGY OF LAW IN NETHERLANDS*, Dordrecht: Foris Publication.
- Hartiman, Andry Harijanto, 2001, *Alternative Dispute Resolution (ADR) Dalam Perspektif Antropologi Hukum*, LEMLIT UNIB PRESS, Bengkulu.
- Hartiman, Andry Harijanto, Merry Yono, Marwan Arwani, dan Budiyono, 2000, *Model Penyelesaian Sengketa Melalui Pranata Perdamiaan Adat Dalam Memelihara Ketahanan Dan Ketertiban Masyarakat Miskin Di Daerah Terpencil Dan Terisolir*, Laporan Penelitian Hibah Bersaing. Bengkulu: Lembaga Penelitian Universitas Bengkulu.
- Hartiman, Andry Harijanto, Merry Yono, Budiyono, Yeany Kurniati Dewayani, 2004, *Model Pelestarian Hutan Damar Pangeran Balin Dalam Memelihara Ketahanan, Ketertiban, dan Kesejahteraan Masyarakat Di Kabupaten Kaur Propinsi Bengkulu*, Laporan Penelitian Hibah Bersaing. Bengkulu: Lembaga Penelitian Universitas Bengkulu.
- Hoebel, E. Adamson, 1983, *The Law Of Primitive Man: A Study In Comparative Legal Dynamics*, Harvard University Press, Cambridge.
- Holleman, J. F., 1986, "Trouble Cases And Trouble-Less Cases In The Study Of Customary Law And Legal Reform", dalam *Anthropology Of Law In The Netherlands Essay On Legal*

- Pluralism* (Editor K. Benda-Beckmann dan F. Strijbosch), Doedrecht-Hollands/Cinnaminson-USA: Foris Publications, hlm. 110-131.
- Hunter, D. E. dan P. Whitten, 1976, *Encyclopedia Of Anhtropology*. New York, Hagers Town, San Fransisco, Harper And Row Publisher, London.
- Ihromi, T. O., 1993, *Antropologi Hukum Sebuah Bunga Rampai* (Penyunting), PT Gramedia, Jakarta.
- Koentjaraningrat, 1980, *Beberapa Pokok Antropologi Sosial*, PT Dian Rakyat, Jakarta.
- , 1981, *Metode-Metode Penelitian Masyarakat* (Penyunting), PT Gramedia, Jakarta.
- Llewellyn, Carl N. dan E. Adamson Hoebel, 1987, *The Cheyenne Way: Conflict And Case Law In Primitive Jurisprudence*, Cetakan Ke. 8. Norman: University Of Oklahoma Press.
- Miles, Matthew. B, dan A. Michael Huberman, 1992, *Analisis Data Kualitatif* (Diterjemahkan Tjetjep Rohendi Rohidi dan Mulyarto), Universitas Indonesia Press, Jakarta.
- Moore, S. F., 1983, *Law As Process An Anthropological Approach*, Routledge and Kegan Paul, London.
- Nasution, S., 1988, *Metode Penelitian Naturalistik Kualitatif*, Tarsito, Bandung.
- Rasjidi, Lili dan B. Arief Sidharta, 1994, *Filsafat Hukum Mazhab dan Refleksinya*, PT Remaja Rosdakarya, Bandung.
- Sitepu, Sudirman, Deddy Bakhtiar, dan Andry Harijanto, 2007, *Model Penyelesaian Sengketa Melalui Rajo Penghulu Dalam Pemanfaatan Sumber Daya Kelautan Antara Nelayan Tradisional Dengan Nelayan Modern Di Kota Bengkulu*, Laporan Penelitian Hibah Bersaing. Bengkulu: Lembaga Penelitian Universitas Bengkulu.
- Suparlan, Parsudi, 1986, "Masyarakat Struktur Sosial", dalam *Manusia Indonesia Individu Keluarga Dan Masyarakat* (A. W. Widjaja, Penyunting), Akademika Pressindo, Jakarta.
- , 1986, *Metode Penelitian: Suatu Pendekatan Kualitatif*, Program Penelitian Ilmu-Ilmu Sosial Universitas Indonesia, Jakarta.
- , 1988, "Kebudayaan Dan Pembangunan", dalam *Majalah Dialog*, No. 21, Tahun XI, hlm. 2-19.
- Zulkarnain S *et. All*, 2002, *Model Interaksi Sosial Antar Umat Beragama Di Kecamatan Enggano Kabupaten Bengkulu Tengah Provinsi Bengkulu*. Bengkulu: Laporan Penelitian IAIN.