

Protection of the rights of the Indigenous people by Datuok (Chief of the tribe / Ninik Mamak) as a traditional leader in the village of Sipungguk Bangkinang, Kampar Regency

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The customary rights of the people of an area have been regulated by customary leaders who have previously been agreed between the customary leaders and the indigenous peoples. Adat Community is a customary law community unit that has communal property from generation to generation in the region, in the form of ethnicity, nagari, batik, village, kepenghuluan and kampung.

The customary leader is an elder and respected person in a society. The indigenous people of Kampar have various social structures known as "Kenegerian", as a combination of tribes or several tribes so that those who sit in the state are the chiefs of the tribes. The customary leader in the tribe is a leader who regulates, fosters nephews in accordance with the Customary rules and the religion adopted. The task of the tribal leader is to organize government, welfare and security in each association in the field of customary law.

Sipungguk Village is included in Kenegerian Salo which consists of 12 (twelve Datuok). Chairman or Datuok (Da means Sang, tuok from the word Tuo / Tua, so it means Datuok is the Old). In the village of Sipungguk Bangkinang, Kampar Regency, Datuok-datuok plays an active role in directing, encouraging, coordinating and harmonizing its indigenous people with the Kampar Regency government program for the welfare of its people.

Public welfare is the right of every community that must be protected by the government. The term welfare is closely related to the description of the word safe, prosperous, or safe despite the disturbance. Within the customary community, customary institutions are the executors of the implementation of welfare guarantees. Because in the community of Sipungguk, Kampar District, the customary system plays an important role in the course of the process of community life.

The realization of community welfare can create a balanced and orderly community structure by providing opportunities for all people to get a decent life in accordance with the conditions of their respective regions. The Kampar regional government is helping its people in agriculture, one of which is by providing plant seeds that can be used as a livelihood.

Geographically, the natural conditions are very fertile, making the villagers of Sipungguk Village, Kampar District, making agriculture a dominant source of income. Agriculture which is widely used as a livelihood by the Kampar community, such as oil palm, rubber and the most part is rice fields. In the village community of Sipungguk, Kampar district, the customary system in rice field farming has its own traditions, starting from the division of land to the process of planting rice.

Observing the aforementioned matters, even though scientifically and technologically it has entered modernization, in reality the customary law system in agriculture continues to grow and develop in the Kampar community, especially in the village of Sipungguk Bangkinang, Kampar Regency so it needs to be studied and examined further about its existence. Datuk Pemuka Adat (pengulu) in carrying out the customary system in agriculture as the main source of livelihood for the community. Therefore this paper contains about "Protection of the rights of the Indigenous people by Datuok (Chief of the tribe / Ninik Mamak) as a traditional leader in the village of Sipungguk Bangkinang, Kampar Regency.

Research question

What is the role of Datuok, the chief of the tribe, as the implementer of the Adat system in protecting the Welfare of the Community in the Agriculture Sector in Sipungguk Bangkinang Village, Kampar Regency

Theoretical Framework and Hypothesis Development

a. The existence of Niniok mamak

Niniok mamak in tribal and traditional community life in Kampar is a leader who regulates and fosters nephews according to customary rules and religion. Niniok mamak is lush tompek batoduoh wood, ghodang tompek balinduong wood. A niniok mamak in his person has four leadership functions attached, as follows:

1. As a father in his own family,
2. As a leader (mamak) in his people
3. As a sumondo in his wife's house and
4. Niniok mamak in their tribe and country

In their existence in the community, the niniok mamak consisting of the leader, Monti / employee, malin, and dubalang should be able to provide exemplary examples, both in speaking, walking and behaving. Because this niniok mamak is a reflection of the rules and laws that the community must live by.

This niniok mamak in the governmental structure of the customary community is the government or community ruler, who determines the policies in the implementation of community life in their respective tribes, niniok mamak is also the holder of power over ulayat owned by tribes and the country.

All roles that are carried out by niniok mamak are important characters that must be carried out sincerely and of course these niniok mamak will be required to carry them out in accordance with customary and religious rules. If niniok mamak does not do their niniok mamak duties properly, then it will automatically drop its own dignity in the eyes of its nephews.

For that a niniok mamak must know his dignity as we have summarized in the previous chapter. As for the dignity of the niniok mamak are :

1. Always give advice or guidance
2. Sure sungguoh
3. Save money
4. Generous
5. Knowledgeable
6. Remember

b. Definition of welfare

Well-being is the goal of everyone's life. They work to achieve the maximum level of welfare. Under the large Indonesian dictionary, prosperous means safe and secure, prosperous, and safe, apart from all kinds of disturbances. According to law No.10 of 1992 concerning population development and development of a prosperous family, it is a family formed based on a legal marriage, capable of fulfilling the needs of a proper spiritual and material life, devoted to God Almighty, having a harmonious, harmonious and balanced relationship. between members and between families and communities and the environment.

The formulation of the concept of welfare by the Central Bureau of Statistics (BPS) and the National Family Planning Coordinating Board (BKKBN) states that a family is said to be prosperous if it meets the criteria of a family that can meet the needs of its members, both clothing, food, housing, social and religious needs.

In other words, the most basic measure of welfare seen from the community's economy is based on the level of income associated with the community's livelihoods.

Research Methodology

This type of research is sociological legal research, which is research in the form of empirical studies to find theories about the process of occurrence and about the process of the operation of law in society. An empirical study is a study that finds facts according to what happens as they are. Sources of data obtained from this study are divided into 2 (two), namely primary data sources and secondary data sources. Primary data sources are data sources obtained directly from the field. Researchers go directly to the field to find data. Researchers obtain primary data through observation and direct interviews with people who are competent to answer the researchers' questions.

Results and discussion

The role of Datuok, the chief of the tribe, as the implementer of the Adat system, protects the Welfare of the Community in the Agriculture Sector in Sipungguk Bangkinang Village, Kampar Regency.

Adat holders (Ninik Mamak, Batin) are people who have been crowned or appointed by their ethnic groups and / or their clans to lead their own ethnic groups or clans, who have been legally confirmed or crowned by their partners in accordance with local customary law.

Kenegerian Salo with pucuok Datuok Permata Said, while the rulers who are in the state are:

1. Datuok Permata Said
2. Datuok Bijo Anso
3. Datuok Paduko bosau
4. Datuok Paduko
5. Datuok Indo Bosau
6. Datuok Paduko Tuan

7. Datuok Majo Indo
8. Datuok Ulaksamano
9. Datuok Kiaring
10. Datuok Putio
11. Datuok Penghulu Bosau
12. Datuok Marajo

1. Requirements to become Niniok Mamak

Because it means the duty of this niniok mamak, the people who can become niniok mamakte are the people who are botoung tumbuoh dimato ayu nan tunggang diceretnyo, which is the soko for Inyo. And not indifferent according to the rules of soko jopisoko. Those who are believed to be able to meet these requirements, because if the niniok-mamak can carry out their duties properly, the ones who will experience shame or damage are not only the niniok mamak figures themselves, but all nephew children and tribal and state communities in the area.

In Kampar customary law, there are many requirements that must be fulfilled by someone to become a leader or niniok mamak, there are general requirements which are characteristics and characters that must be met, these general requirements are usually based on religious provisions such as the word right, walking straight on, while the requirements special is a requirement that has long been established by adat, for example a person has to be botoung tumbuo dimato. We can see the following more clearly:

a. General Requirements

In general, a leader must have a gentle nature, be kind and not violate the teachings of religion, because as stated below, a niniok mamak is a role model and role model. not bulio arrogant, a niniok mamak person should be able to:

- a. Bakato bonau (telling the truth)
- b. Bajalan lu'i (walking straight)
- c. Bafikiu jonio (clear thinking)
- d. Ba'ati lapang (big hearted / roomy)

Niniok mamak have the dignity as their respective leaders, a leader must also have the characteristics of the apostle, namely sidiq, tablig, amanah, and fathonah, there are several points from these characteristics below, namely:

1) the upstream character

- a) Siddiq is honest or not a liar, a niniok mamak cannot lie, because all his words are accepted and agreed upon by a nephew's son, if niniok mamak lies then his nephew will receive something wrong, as the saying goes "born with the heart must be the same, the same the word is born with the heart according to what the mouth says to the heart "
- b) let someone who is intelligent and knowledgeable, especially in the field of knowing and clearly mastering custom with all its problems, syara 'with all its practices and laws.
- c) be fluent in speech. Can convince other people of the plans that will be made. Because someone who becomes a niniok mamak is a member of the representative council of the children they lead. He must be able to convey about the interests of his child, whether in front of a hearing or deliberation in a customary community institution or in the government.

The term adat comes from Arabic, this word can be interpreted as "habit". The word adat has become a daily language for people in Indonesia, so that almost all regional languages in Indonesia are familiar with and use this language. Based on the customary law that applies from generation to generation in the Sipungguk village area of Kampar district, the division of agricultural land is already a high pusako inheritance from each tribe which is then divided by Datouk, the chief of the management of the tribe, to each of his nephews based on mutual consensus. The division of agricultural land is usually based on the highest to the lowest position, such as from children, nephews to grandchildren.

a. Heritage Treasure (Soko's treasure)

In the people of Kampar Regency, the distribution of assets is divided into 3 (three), namely:

1) inheritance

The property obtained from parents that is given to their children when one of the parents has passed away.

2) tribal treasures

The property that is jointly owned and managed by each tribe and this management is supervised by the chief of the tribe, such as communal land and agricultural land.

3) Heirlooms (Soko's assets)

The treasure that comes from the previous ancestors which is drawn from one blood line, be it four or five lineages down.

Each Datuok Chief of the tribe supervises their respective tribes to oversee the operation of the customary system, in this case the agricultural system. Especially the running of the government program to provide agricultural seed assistance. In the adat community of the village of Sipungguk, Datuok, the chief of the tribe, should have assisted in monitoring the distribution of seed assistance, but on the contrary.

The Kampar district government made several seed assistance programs, especially during the time of Regent Burhanuddin. The district government collaborates with the forestry service. At every commemoration of food security day, the forestry office makes a program of giving free seeds to the people of Kampar district, including the people of Sipungguk Village, Salo District, Kampar Regency.

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Table Distribution of plant seeds

No.	Plant seeds	Jumlah	Tahun	Instansi
1.	Rubber tree	1000 batang	2007	Dinas kehutanan
2.	Pisang kepok, durian, limau	3 batang per-rumah	2008	Dinas kehutanan
3.	Limau, jambu	Per-rumah	2009	Pemkab Kampar
4.	Benih padi	500 kg per-kelompok tani	2016	Dinas kehutanan
5.	Kelapa hibrida	1.600 bibit	2017	Pemkab Kampar

Sumberdata 2020

The life of the Kampar community is rooted in agriculture which results in prosperity, therefore the culture that must be maintained is agricultural culture. In fact, behind the wild forest, amidst the fertility of the soil, there is the cultural life of the Kampar people who will make changes in the land of Lancang Kuning.

Datuok tribal chiefs must play an active role in preserving the Customary heritage by continuously monitoring the lives of indigenous peoples so that there is no friction between indigenous peoples and a shift in customary values.

In Sipungguk village, the role of the Datuok chief has begun to diminish from what it should have been. This is because :

1. Modernization

In the Sipungguk village community, especially young people and women, they have begun to be influenced by western culture which they perceive as modernization, thus eliminating cultures in terms of agriculture. Modernization is considered as an convenience for them, as in terms of agricultural tools that are no longer used manually but have used sophisticated machines that do not require many people to use them. Therefore, the community togetherness that was once established during the planting season has been replaced by technological sophistication.

2. Lack of socialization and regeneration of customary instruments to young indigenous peoples

Poor communication between parents and young people is also an obstacle to maintaining traditions or customs. So, young people do not know well the customary system that applies so that socialization and regeneration is needed to the youth in the indigenous community of Sipungguk Village, Salo District

3. Sipungguk villagers who started to migrate

The people of Sipungguk village also recognize the tradition of migrating, both men and women with the aim of improving their fate. This becomes an obstacle for the Indigenous people to maintain their traditions. Because the people who have migrated have settled in their overseas areas so that their children and grandchildren only know the customs and culture where they live, no longer the customs and culture of their ancestors.

Conclusion

The agricultural cultural traditions mentioned above are now rarely encountered, because nowadays people in general have switched to plantation land. Farming rice or vegetables began to decrease because people realized that just cultivating rice fields was not sufficient for their lives. As a result, what arises in the Kampar culture, it is only the women who go to the fields. The men look for other jobs, such as scratching or grinding rubber. Early in the morning the men went to the rubber fields to scrunch the rubber, after tapping then went to the coffee shop. The goal is not to be lazy but they are waiting for the rubber sap to fill the coconut shell container. When they are full they go to the fields to collect the sap and then sell it. This method is an illustration of the Malay culture which has now begun to diminish the role of Datuok. So, researchers think to solve this problem by re-developing existing traditions and cultures to give to the younger generation so that they realize how important culture is, so that they become smart, independent and prosperous young people.

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