



The Faisei Saubowoa Indigenous People's Kinship System in Sangei Village Waropen Regency

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Abstract

In the kinship system of indigenous peoples, descent is very important to continue the lineage, either straight or sideways. In general, descendants have legal relations based on blood relations, including between parents and their children. The method in this study is empirical juridical, where in this empirical legal research there are two types of data, namely primary data and secondary data. Primary data is data sourced from field research obtained directly from the first source. While secondary data is data obtained from the results of library research. The results of this study reveal that the indigenous people of Faisei Saubowoa in the village of Sangei, Waropen Regency, know a local kinship group called "Da". Most of the villages in the area of the customary law community of the Waropen Kai tribe have three to five "Da" who are in charge of several Ruma Bawa (big and long houses). Family members feel bound in a kinship relationship that is calculated through the male/father lineage (patrilineal). Members of "Da" believe that they come from a common ancestor. Likewise, the Faisei Saubowoa indigenous people also know local kinship groups.

Keywords: *System; Kindness; Indigenous Peoples; Faisei Saubowoa*

Introduction

The Unitary State of the Republic of Indonesia has various cultures, tribes and customs. From Sabang to Merauke, it stretches like an archipelago. This diversity affects the laws (rules) that apply in different forms in each region. These rules make people obey the local regulations (common law) where they live. In their daily lives, Indonesian people follow state laws in the form of statutes and customary law. Indonesian customary law has a strong influence on society. Customary law has not been codified, but Indonesian society still exists and functions according to its function. In the vast territory of the Indonesian state, some areas of customary law are different from others. The influence of customary law depends on how deeply the people in the area inspire and apply the law in their daily life.

Within the scope of the Papua Province based on Article 43 paragraphs 1 and 2 of Law Number 21 of 2001 concerning Special Autonomy for the Province of Papua, the Provincial Government is obliged to recognize, respect, protect, empower and develop the rights of indigenous peoples by referring to the applicable legal provisions. includes customary rights of customary law communities and individual rights of members of customary law communities.

Customary law communities are also referred to as "traditional communities" or the indigenous people, in everyday life more often and popularly referred to as "indigenous peoples". Customary law community is a human community that obeys the rules or laws that govern human behavior in relation to one another, both in the form of a whole of habits and decency that really lives because it is believed and adhered to, if it is violated, the perpetrator gets sanctions from the customary authorities.

Kinship customary law is customary law that regulates how a person's personal position as a member of the family, the position of children towards parents and vice versa, the position of children towards relatives and vice versa as well as child guardianship issues. It is clear that customary kinship law regulates kinship ties, based on blood ties (seeds), marital ties and customary marriages.¹

In the kinship system of customary law communities, descent is important to continue the family line (marga) either directly or indirectly. Offspring usually have blood relations, including between parents and their children. Inheritance also has legal consequences other than descent, but not all of these legal consequences are the same in all regions. Although the legal consequences of ancestral unity are not the same in all regions, in fact there is a basic understanding of this matter of inheritance which is the same in all regions, namely that descent is an essential and absolute element of a clan, tribe or relative who does not want descendants from a dead line. so there will be generations of descendants.

Individuals as descendants (family members) have certain rights and obligations related to their position in the family concerned. For example, they may share the family name (marga) and may participate in using and are entitled to family assets, are obligated to help each other, can represent each other in carrying out legal actions with third parties and so on.²

According to Bushar Muhammad, offspring can be:

- a. Straight, if one person is directly descended from another, for example between father and child, between grandfather, father and child, it is called straight down if the series is seen from grandfather, father to child, while it is called straight down if the series is seen from child, father to grandpa.
- b. Deviate or branch off, if between two or more people there is a single ancestor, for example the same father and mother (siblings), or grandparents and so on.³

In the context of the indigenous Papuan people, the basic philosophy behind the local wisdom of the indigenous Papuan people is to support and regulate relationships or interactions that prioritize balance and balance between humans and humans, humans and nature, and between humans and God. Such patterns of interaction are a source of local wisdom, which then gives birth to wisdom values that underlie patterns of behavior that govern the behavior of certain indigenous peoples, so that they become behaviors that are held, valued and bound within the group.

Customary law communities in Indonesia can be divided into two groups according to the basis of their structure, namely those based on ancestral ties (genealogy) and those based on the regional environment (territorial).⁴ A legal community or a territorial legal association is a community that is permanent and orderly, whose community members are bound to a certain area of residence, both in worldly terms as a place of life and in spiritual terms as a place of worship for ancestral spirits. A genealogical community or legal alliance is an orderly community unit, where its members are bound by the same ancestry and ancestry, either directly because of blood relations (descendants) or indirectly because of hereditary or customary ties.

¹ Hilman Hadikusuma, *Pengantar Ilmu Hukum Adat Indonesia*, Mandar Maju, Bandung, 2003, hlm 201.

² Bushar Muhammad, *Pokok-Pokok Hukum Adat*, PT Pradnya Paramita, Jakarta, 2006, hlm 3.

³ *Ibid*, hlm 4.

⁴ Soerjono Soekanto, *Hukum Adat Indonesia*, Rajawali Pers, Jakarta, 2010, hlm 95.

Method

The method in this study is empirical juridical, where in this empirical legal research there are two types of data, namely primary data and secondary data. Primary data is data sourced from field research obtained directly from the first source. While secondary data is data obtained from the results of library research.

Result and Discussions

First of all, it should be noted that the word Waropen has close ties to Aropang, which was originally used by Jakob Weyland and according to H.A. Wanda said that Waropen has another meaning, namely "a person who comes from the interior". The Waropen tribe is one of ± 263 indigenous Papuan tribes who are on the shores of Cenderawasih Bay, on the peninsula of the shoulder plains of Papua Island and come from the Melanesian race. As a structural unit of the cultural area, the Waropen ethnic group belongs to the Saireri culture in Cenderawasih Bay and is one of the heirs of Melanesian culture because they are at the forefront of the Pacific Ocean. Linguistically, the Waropen ethnic group belongs to the category of speakers of the Austronesian language family with three major dialects, namely: (1) Waropen Kai dialect, (2) Waropen Ambumi dialect, and (3) Waropen Ronari dialect. From these three tribes there were also large villages in which there were keret-keret or commonly called house spies, which are now Mambui, Risei village, and Wonti village. And the indigenous people of Faisei Saubowoa (Sanggei) are one of the villages of the customary law community of the Waropen Kai tribe.

The indigenous people of Faisei Saubowoa in the village of Sangei, Waropen Regency, know a local kinship group called "Da". Most of the villages in the area of the customary law community of the Waropen Kai tribe, have three to five "Da" who are in charge of several "Ruma Bawa" (big and long house). Family members feel bound in a kinship relationship that is calculated through the male/father lineage (patrilineal). Members of "Da" believe that they come from the same ancestor, although they are often unable to explain kinship relationships concretely.

In the Faisei Saubowoa indigenous community of Sanggei village, the larger group of relatives is formed by "Ruma Bawa" which has two meanings, namely: (1) patrilocal extended family and (2) house as a place to live. The two meanings must be separated, because two or more people who live in one house (ruma) can come from two houses (extended family). On the other hand, members of one house may occupy five houses.

The Faisei Saubowoa indigenous people also know local kinship groups. Its members are bound by kinship which is calculated through the father's lineage (patrilineal). Group members believe that they come from a common ancestor. Although they can no longer explain the kinship relationship concretely, in sacred tales or ancestral myths (Yaira Muna). Because of this some clans still have totem symbols in the form of animals, for example "Dia Confident" and "Da Nuwuri". Like in the village of Nuwoa, which has a crocodile as their totem symbol. Awareness of the common ancestor having two to five "Da" whose houses are usually clustered in a certain area of the village and are exogamous, for example the Faisei Saubowoa community of Sangei village has two "Da" consisting of two main eyes of the house, namely the eyes the Wonatorei house and the eyes of the Imbiri house.

As explained above, in the Waropen area, especially the indigenous people of Faisei Saubowoa, Sanggei Village, they only know a long house, in which one house lives, but the Dutch government recommended removing the long house for health reasons and to reflect the group of houses into nuclear families. In addition, the separation between residents within the household often occurs due to quarrels between one member of the household (extended family) and other members of the household. As a result, he will separate himself and build another house or have his own eyes. It often happens that such new branches gradually become a separate group of relatives.

On the other hand, there are "Da" parts of a group of relatives who have separated themselves from seeking protection in other groups, then continuously become the main group. Likewise, the house (extended family) which has become too large does not only experience processes of division, but also undergoes a process of monitoring.

The kinship term used by the indigenous people of the Waropen Kai tribe in general and specifically the indigenous people of Faisei Saubowoa, to refer to relatives who are in the Ego generation and several generations above Ego. In the Waropen Kai language, the word "Yes" (I) is used to introduce oneself. To differentiate gender, the term "Mano" is used to refer to men, while for women, the term "Bino" is used. Meanwhile, in distinguishing age, the terms "Bawa" (Large) and "Kuboma" are used which mean Small. The term for children is used the term "Watea". For more details, some kinship terms can be seen as follows:

The term for relatives of the three generations below and above is "Ghori", which is the designation for all Grandfathers Male and Female, three generations above and below from Ego. At this level of "Ghori" people usually call "Ghori" without distinguishing on gender differences. "Ghori" is the highest and lowest levels in the kinship system.

The term for relatives of the two generations below and above is:

Fofu Mano: this title is used to refer to all male grandfathers two generations above ego.

Fofu Bino: a term for all female grandmothers two generations above ego.

Fofu: designation of grandson and daughter, two generations below ego. Especially at the fofu level, especially the two generations above the ego, clearly show gender differences, namely Fofu Mano and Fofu Bino, while the two generations below the ego are not distinguished.

The term for relatives of one generation above is:

Daida (Bawa = big/old, Kuboma = small/young), is used to refer to the father of the father's brother and also the mother's brother.

Naina (bawa = big/old, Kuboma = small/young), is used to refer to mother and mother's sisters as well as father's sisters.

At this level, namely Daida and Naina, what distinguishes it is age. If the father has an older sibling, he is called Daida Bawa, while his younger sibling is called Daida Kuboma. This title is also used to refer to the mother's brother. The term for relatives of the same generation with the ego is:

Bino: wife

Yondaghi/Amay: designation for all husbands of sisters and also all wives of ego's brothers.

Bingga: used to refer to ego's brother's wife.

Especially for Bingga and Mambo, the terms Bawa (Big) and Kuboma (Small) can be used to distinguish between the oldest and the younger siblings. The term for relatives of the same generation below the ego is:

Waitea (Warima = Male, Wiama = Female); used to refer to the sons and daughters of ego's siblings.

Noman: the name for all the husbands of ego's daughters.

Nowin: the name for all the wives of ego's sons.

In this section, the term Waitea (Children) is used to refer to brothers (male and female) of the ego and to distinguish them, then Warima and Wiama use to distinguish between male and female. In addition, there are several terms that are often used by the Waropen Kai tribe in general. including the Faisei Saubowoa indigenous people in Sanggei village, namely: Mano (Husband), Noman (male-in-law), Nowino (Female-in-law), Firumi (Prospective Fiancé).

Conclusion

The Faisei Saubowoa indigenous people in Sangei village, Waropen Regency, in terms of kinship where a person's kinship with other people who have the same blood relationship or ancestry in one family. Kinship is an institution that stands alone, apart from the scope of what is called kinship, a unified whole, unanimous between the child and the father, continues indefinitely. The indigenous people of Faisei Saubowoa in the village of Sangei, Waropen Regency, know a local kinship group called "Da". Most of the villages in the area of the customary law community of the Waropen Kai tribe have three to five "Da" who are in charge of several Rumah Bawa (big and long houses). The family system of the Faisei Saubowoa indigenous people in the village of Sangei is patrilineal where the descent system is drawn according to the father's line.

References

- Bushar Muhammad, *Pokok-pokok Hukum Adat*, PT Pradnya Paramita, Jakarta, 2006, hlm 3.
- Hilman Hadikusuma, *Pengantar Ilmu Hukum Adat Indonesia*, Mandar Maju, Bandung, 2003, hlm 201.
- Soerjono Soekanto, *Hukum Adat Indonesia*, Rajawali Pers, Jakarta, 2010, hlm 95.
- Republik Indonesia, *Undang-Undang Nomor 21 Tahun 2001 tentang Otonomi Khusus Bagi Provinsi Papua*. https://www.dpr.go.id/dokjdih/document/uu/UU_2001_21.pdf.

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