

**STUDY OF THE VALUE OF CULTURE AND LOCAL WISDOM IN THE
INDIGENOUS PEOPLE OF TENGGER TRIBE**

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Abstract

The existence of indigenous peoples that are guaranteed directly in the constitution of the State of Indonesia. This research aims to analyze the value of culture and local wisdom, by the traditional and indigenous people, namely Tengger tribe. The type of legal research conducted is juridical empirical. The research will examine between the rule of law and the environment in which the law applies. This research found that Cultural values and local wisdom are one of the foundations of the existence of indigenous peoples. Because, through these values, indigenous peoples do all forms of law that they believe in and the system of life that has been agreed together to realize a regularity in the lives of indigenous peoples, especially indigenous peoples Tengger tribe.

Keywords: Value; Culture; Local Wisdom; Indigenous People; Tengger

INTRODUCTION

The great ideals of the nation that are bound within the frame of the Unitary State of the Republic of Indonesia have been expressly stated in the Preamble to the Constitution of the Republic of Indonesia of 1945 (NRI Constitution 1945) (Mahfud MD, 2007). The opening of the 1945 NRI Constitution is a noble agreement of the Indonesian nation to live together in a compound one-nation bond. The preamble to the 1945 Constitution contains 4 paragraphs. Each paragraph contains noble and philosophical ideals that must animate the entire system of thinking material constitution. One of them is the fourth paragraph that describes the vision of the Indonesian nation on the state building to be formed and organized in order to institutionalize the entire ideals of the nation for independence, unity, sovereignty, fairness and prosperity in the State of Indonesia.

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In the development of a nation in a civilization, each nation has its own characteristics and character. Each nation also has qualities that are naturally formed without one being larger than the other. The law, according to von Savigny, relies heavily on the soul of the people. The content of the law is determined by the association of human life from time to time. The law evolved from a simple society whose mirroring was evident in the conduct of all individuals to a modern and complex society in which the legal awareness of the people was evident in what the jurists said (Lontah, 2011)(Aulia & Al-Fatih, 2017).

The existence of a law derived from the development of a simple society, shows that the roots of the law and state of a nation governed in the constitution can be traced from the history of the nation itself. In the context of Indonesia, the roots of modern Indonesian statehood can be traced from the Customary Constitutional Law that once prevailed in kingdoms or sultanates that once lived in the archipelago (Asshiddiqie, 2008). The existence of indigenous legal peoples in Indonesia is an indisputable reality. Cornelis Van Vollenhoven as an observer of Indonesian customary law has mapped the environment of customary law in 19 Indonesian customary legal environments. In addition to the research that has been done by Van Vollenhoven the existence of indigenous legal peoples in Indonesia is also recognized implicitly on the motto Bhineka Tunggal Ika (Huler, 2014).

In addition, in studying the law of customary state system as a form of recognition and respect for the indigenous legal community strengthened by article 18B paragraph (2) UUDNRI Year 1945:

The State recognizes and respects the unity of the indigenous legal community and its traditional rights if it is alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are stipulated in the law.

Which, customary law is recognized and protected by law if it is alive or exists in accordance with the development of society based on the principles of the Unitary State of the Republic of Indonesia. Article 18B paragraph (2) UUDNRI Year 1945 then further strengthen

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the existence of indigenous legal communities in the territory of sovereignty of the state of Indonesia recognized and respected its existence in a diversity (Sumadi, 2015). Which means, indigenous legal people have the same role as ordinary people who do not belong to the indigenous legal community.

The existence of indigenous peoples that are guaranteed directly in the constitution of the State of Indonesia, is the result of the many cultural diversity and the many groups of indigenous peoples arising from the geographical conditions of the country. Currently in Indonesia there are estimated to be 20,000 indigenous groups, but only about 8,000 groups have been recorded (Reggina Renata Tanuramba, 2020). There are indigenous peoples who still respect and uphold the culture they have but some are not reluctant to keep up with the times. The large number makes Indonesia rich in culture, this is an attraction for domestic and foreign tourists (Nusantara, 2010). Apart from this, it should be noted that the many indigenous groups in Indonesia are a bulwark in the face of globalization in order to remain in accordance with the values of local culture and wisdom (Gayo, 2018).

But nowadays, the existence of indigenous peoples is increasingly shifted by the rapid flow of technological developments (Z. F. Aditya & Al-Fatih, 2017). Even its existence is increasingly marginalized by the construction of skyscrapers in the area of indigenous peoples (*volkgemmenschappen*) conducted through the opening of customary forest areas and others. In fact, indigenous peoples had inhabited the territory of Indonesia even before the Unitary State of the Republic of Indonesia was established. Indigenous peoples today are evidence of the existence of ancestors in ancient times who moved from one place to another (*nomadic*). So, it is an obligation for both the government and Indonesian citizens to respect and recognize the existence of indigenous peoples (Z. Aditya & Al-Fatih, 2017). Article 28 I paragraph (3) of the Constitution of the Republic of Indonesia states that "Cultural identity and the rights of traditional peoples are respected in accordance with the development of times and civilizations".

Historically, indigenous peoples in Indonesia have been migrants from other regions of Southeast Asia (Rahman, Triningsih, W, & Kurniawan, 2011). In Dutch times it was known as *zelfbesturende landschappen* which describes areas that have had a system of self-government since the beginning. As for Java, Panglipuran in Bali, Nagari in Minangkabau is used *volkgemeenschappen*. Looking at the phenomenon that occurs in the indigenous people, researchers use one of the objects that became our study is the indigenous people of the Tengger tribe, which we will more deeply examine related to cultural values and local wisdom in the indigenous people of the Tengger tribe.

METHODOLOGY

The type of legal research conducted is juridical empirical (Soekanto, 2014). The research will examine between the rule of law and the environment in which the law applies (Irwansyah, 2020). In connection with the type of research that is empirical juridical research, the thing that is studied is related to the existence of indigenous Tengger community culture in the era of globalization, especially on things that persist in the development of today's times.

The writing of this study uses a method of sociological *juridical* approach (Efendi & Ibrahim, 2018) that is by research in the field or field studies by examining the cultural existence of indigenous communities Tengger tribe in the era of globalization, especially on things that persist in the development of today's times. This is because the law is perceived as a symptom that can be observed in life (Fajar & Achmad, 2013). The location of the research was chosen with objective consideration in order to obtain the necessary data to answer the problem. Research conducted in Ngadas Village, Tengger customary legal community, Ngadas Village was chosen because the guarding of the Tengger tribe cultural entity became one of the icons that must be maintained as the main identity of the Tengger tribe itself

The data used in this writing is divided into 2 (two) types of data, namely: 1) Primary Data, namely data obtained directly in the field or obtained from the source, through knowledge, experience, and explanation from the local government, both districts/sub-

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districts, village heads, *lurah* and local indigenous elders on issues related to this study. The knowledge, experience and explanation referred to in this study is about the existence of indigenous Tengger people in the development of the era that has begun to enter the indigenous people of the Tengger tribe. 2) Secondary Data, that is the data that is available to complete the main data obtained from the literature material, namely the laws and regulations on customary law, literature, documents, and archives contained in the local government. The laws and regulations that will be secondary data are:

1. Constitution of the Republic of Indonesia year 1945, Article 18 B paragraph (2), Article 28 E paragraph (2) and paragraph (3), Article 28 I paragraph (1) and paragraph (3), Article 28 J.
2. Law No. 12 of 2008 concerning the Second Amendment to Law No. 32 of 2004 concerning Local Government
3. Law No. 6 of 2014 concerning Villages

The data sources that will be used and obtained in this study are: 1) Primary Data, the collection of primary data in this study was conducted by interviewing directly to respondents, in this case the regional heads of local government, *lurah*, *camat*, and local indigenous elders. Interviews are a way to get information by asking the source directly. Interviews are conducted unstructured (open interviews) using guides that contain outlines and are developed freely during the interview. This form of interview is like informal conversations so it can be flexible, where the composition of questions can change according to conditions and needs. 2) Secondary Data, in this study was conducted by conducting literature studies by examining literature both printed and electronic relevant to the issues discussed. Secondary data is collected based on issues that have been formulated and classified by source and hierarchy to be reviewed in conjunction with primary data. The data browsing techniques in this study were conducted through documentation studies and library studies, as well as from the internet. To obtain the required legal materials, researchers will conduct a search of legal materials at the Center for

Documentation and Legal Information (PDIH) Faculty of Law, Brawijaya University,
Brawijaya University Central Library and Malang City Library.

RESULT AND DISCUSSION

Geographical Condition of Ngadas Village, History and Development of Tengger Tribe

Tengger is a town or village located under the foot of Mount Bromo, East Java. Originally in 100 BC the Brahma-born Waisya Hindus lived on the beaches now called Pasuruan and Probolinggo. After Islam began to enter Java in 1426 BC and their existence began to be pushed so they looked for areas that were difficult to reach by humans (migrants) namely in the mountainous areas of Tengger, in the end they formed a group known as Tiang Tengger (Tengger people) ("Kebudayaan Indonesia," n.d.).

Tengger people live around the area in the interior of Mount Bromo located in Probolinggo district, East Java. Based on the distribution of language and social life patterns of the community, Tengger distribution area is around Probolinggo, Lumajang, (Ranupane Senduro subdistrict), Malang (Ngadas village Poncokusumo subdistrict), and Pasuruan. While the original cultural center is around the foothills of Mount Bromo.

In the early 16th century the Brahma devotees in Tengger came the Persian Hindus (Parsi comes from the Persian word, which is "the region around the Iranian sea"). Therefore, switch their religion from Brahma to Parsi (Parsi Hinduism). All the evenings or *ngelmu-ngelmu* owned by Tengger people are still derived from the worship of the sun, moon, stars as the controller of the four main elements: fire, water, earth, air. However, at this time the evening and *ngelmu* that they have is also done by Tengger residents who are Muslims, because their ancestors were Persian Hindus.

In this case the Tengger Islam still adheres to the *ngelmu* beliefs related to the determination of "good days" and "bad days" for general and special purposes. There is also a belief in good times and bad times in one day and a belief in the strengths of doing an action.

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Special measures for example will be taken when leaving the house, and the terms of refusal to mara danger that may arise in the trip. They can still be found in more than 24 villages located there such as Tosari, Ngadiwana, Ngadirejo, Nongkojajar, Ngadisari and so on, most notably those still in Pasuruan and Probolinggo areas and anthropologically they can be grouped into Bedouin and Balinese groups.

The area of Tengger is approximately 40km and north to south; 20-30 km and east to west, above the height between 1000m - 3675 m. Tengger teletak area in the part of four districts, namely: Probolinggo, Pasuruan, Malang and Lumajang. The soil level type is mountainous with steep cliffs. Tengger Caldera is the widest sea of sand, located at an altitude of 2300 m, with a length of 5-10 km. Crater of Mount Bromo, with an altitude of 2392 m, and still active. In the south towering the peak of Mount Semeru with an altitude of 3676 m.

Tengger Tribe Customary Region is divided into two areas namely Sabrang Kulon (Brang Kulon represented by Tosari Village Pasuruan District) and Sabrang Wetan (Brang Wetan represented by Ngadisari Village, Wanantara, Jetak Sukapura District Probolinggo Regency). Representatives by Tosari Village and the three villages refer to the Opening Procession of Karo Ceremony which at the same time proclaims Jhodang Wasiat / Jimat Klontong.

The village village which is a Tengger Tribe Community is as follows: Ngadas Village, Wanantara, Jetak, and Ngadisari (Sukapura Subdistrict, Probolinggo Regency), Wanakersa Village, Ledokombo, Pandansari (Source District of Probolinggo Regency), Tosari Village, Baledono, Sedaeng, Wonokitri, Ngadiwono, Kandangan, Mororejo (Tosari District, Pasuruan Regency), Keduwung Village (Puspo District, Pasuruan Regency), Ngadirejo Village, Ledok Pring (Pasuruan District Tukur District), Ngadas Village and Ranupani Village (Senduro District, Lumajang Regency).

Wong Tengger or mountain people were a special group because they were the last descendants of Majapahit civilization at the end of his period. According to myths or legends

that developed in Tengger people, they come from the descendants of Roro Anteng who is the daughter of King Brawijaya with Joko Seger the son of a Brahmin. The name Tengger tribe is taken from the suffix of the names of the two pairs of husband and wife, namely, "Teng" from Roro Anteng and "Ger" from Joko Seger. The legend of Roro Anteng and Joko Seger who promised Dewa to give up their youngest son, Raden Kusuma was the beginning of kasodo ceremony in Tengger.

According to some historians, Tengger tribe is a native Javanese who at that time lived in the heyday of Majapahit. When the entry of Islam in Indonesia (Java island) at that time there was a contact between Islam and the kingdoms in Java, one of which was Majapahit who felt pressured by the arrival of Islamic influence, then fled to the region of Bali and the interior around Mount Bromo and Semeru. Those who live around the interior of Mount Bromo then set up a village named after their leader, Roro Anteng and Joko Seger.

The majority of Tengger people embrace Hinduism, but the Hinduism embraced is different from Hinduism in Bali, namely Hindu Dharma. Hinduism that developed in Tengger society is Hindu Mahayana. In addition to Hinduism, other religion embraced is Islam, Protestantism, Christianity, etc. Based on Hinduism teachings embraced, every year they perform Kasodo ceremony.

Cultural Values and Local Wisdom of Tengger Indigenous Peoples (Murtadho & Saxon, 2014)

Located at an altitude of 2,000 meters above sea level, a village at the end of Malang Regency. This village is one of the 36 Tengger Village that is involved in 4 districts/cities. Ngadas is touted as one of the highest villages in Indonesia. 95% of Ngadas people's livelihoods are in the agricultural sector. The hillsides around Ngadas village are full of plots of fields directed by the people. While the remaining 5% work as tourism workers or village apparatus. However, whether it is apparatus or tourism workers, can be ensured that they also have fields to process. Historically, Tengger people are known as resilient farmers, whose produce will be

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directly distributed in the area around Malang and Kepanjen, such as potatoes, cabbage and other produce.

This village was first opened by Eyang Sedek around the 18th century as an effort to expand the influence of Islamic Mataram kingdom, Surakarta Kasunanan Palace. But in its development, the people who then migrated into this village are Tengger people who previously lived in other villages. Therefore, until now 99% of Ngadas people are Tengger people. While the name Ngadas itself is taken from a plant that is found in this village.

The culture that developed in tengger society can not be separated from the existence of Mount Semeru. This active volcano has a great influence on the fertility of agricultural land ngadas residents. In addition, Mahameru, the term for the summit of Mount Semeru, when translated freely is "holy mountain" or "the dwelling place of the gods". Therefore, the spiritual life of the community is not separated from this mountain besides of course also bromo crater. Therefore the culture of wearing sarongs for men and Kaweng worn on the neck is not then a "strange" thing in the indigenous Tengger people.

Ngadas Village, like other Tengger Tribal Villages, is a miniature archipelago (deliberately does not mention Indonesia). With a high level of tolerance between beliefs, people put customs above religion and harmony became the foundation of life instilled since childhood. The composition of religious people in Ngadas is 60% Buddhist, 30% Muslim, and 10% Hindhu. However, people have the view that religion is just "*ugeman*", meaning just a kind of handle in life. As for doing daily activities cultural factors are more influential. Fights between citizens are also very rare here, customary law dictates that in the event of a fight, the two warring sides will be punished by clearing the entire village.

From morning until night, the streets of the village are full of people interacting. In the morning, it is usually seen at some point mothers who are shopping while talking to each other. While the fathers prepared to go to the fields. The children enter the school at 08.00 because

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the morning temperature is very cold and it is not possible for them to enter at 07.00 as elsewhere. Before entering the school, in some locations there were children playing.

In the evening, in some places the fathers lit bonfires while talking. While at the end of the village, there is a security post where the youths are busy with text messages. Because only in that place there is a strong enough cellular signal. While other modern entertainment facilities are very minimal here. Television, although it has been around since the 1980s, but not all houses have it.

Ngadas people are very firm in their culture. Every ceremony from marriage, death, to traditional ceremony, which is generally led by a Shaman is always greeted enthusiastically by every level of society through the implementation of a series of gotong royong activities. Although for foreigners, Ngadas culture impressed hard in organizing its citizens. For the record, previously there was Gubuk Klakah Village which is located about 10 km south of Ngadas Village. Initially, this village was also part of Tengger village. However, over time, this village is no longer considered as Tengger village because it does not carry out tribal customs as required.

One thing that cannot be tolerated in this cultural teaching is if someone does not follow the existing ceremony without accompanied by a clear reason. The sanction is to be removed from the village because it is considered unruly. Or in other words, the person is no longer part of Ngadas or Tengger society. However, one interesting thing in this rule. As we know, in every rule there is a principle behind the emergence of the regulation. And for the rules of customs, often the principle of gotong royong becomes the priority.

Similarly, the Ngadas community. In recent years, the development of Muhammadiyah (Islam) began to flourish in the village. In his teachings, this tradition prohibits his followers to attend ceremonies, especially traditional rituals because it is considered contrary to religion. Uniquely, for people who "disobey" the customs there is tolerance from the community and indigenous elders. In addition to the reason for the rejection of the ritual is quite clear, also

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because harmony itself is the customs of Ngadas people whose position is highest, exceeding existing rituals.

Mutual cooperation color the lives of Tengger people in almost every aspect. In addition to the implementation of rituals, the construction of village halls to houses of citizens is also carried out in cooperation. In addition, every citizen who comes out of the village to study outside the area, is always asked for his willingness to return. Thus, residents who have gained knowledge can be applied in their village to build villages together. While the success that the student wants to achieve is seen as number two. From Ngadas's perspective, success is nobler when achieved together. That is, the success of self goes hand in hand with the success of the group.

Not only to the community from within the group, but also to the migrants in the village. The most obvious example is from the *home stay* rental mechanism spread throughout the village. The negotiation process will be smoothed by the owner of the house if the tenant really does not have the money. However, once caught lying, Ngadas people will hate the culprit very much. The real example is that Ngadas people are people who trust each other. When they get out of the house, they never lock the door. Just by closing the door, people will know that the owner of the house is not at home or at least does not want to be met. The care of the house left by the residents is done by every member of the community.

According to residents, once, there was once an outsider who violated the trust of the citizens. Carrying an open-air car, two men entered the village to steal from the house of one of the residents. Once caught by the citizens, it's unmitigated. The two of them with the car they were driving were burned by the people. As a result, both died instantly.

Although customary law dominates the daily life of the community, but the applicable law is still applied here. As some time ago there was domestic violence one of the residents. In that incident, the husband beat his wife to bleed. Then through the village device, the husband was reported to the nearest police station for trial. Restrictions for Ngadas residents, if a

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violence occurs until one of the party's bleeds, the problem must involve the police. Otherwise, the settlement is still done with customary ordinances. The flow of settlement if it will be brought into the realm of law is as follows:

1. Witnesses/victims witnessed the violence committed by one party against the other.
2. Witnesses/victims reported the incident to the local RT chairman.
3. The chairman of RT then reported to the rw chairman.
4. The head of RW reports to the head of the sub-village who also serves as a customary stakeholder.
5. The head of the village considers whether to be brought into the realm of law or resolved customarily.
6. If legally, the head of the village reports to the nearest police department.

However, if the case is a severe or emergency case, the witness/victim can directly report to the head of the village without passing through RT and RW. Recently, during the increasing flow of tourism in Ngadas village, there has been a slight shift in behavior as a result of existing cultural interactions. On the one hand, Ngadas people imitate the behavior of many tourists. One of the most striking is the rise of villagers who ride their motorcycles at high speed on the streets of the village. This behavior, is the result of mimicking the behavior of tourists who ride their dirt bikes at high speed to Bromo.

In addition, the behavior of Ngadas residents who guard the entrance counters and jeep tenants to Bromo has also been very different from the general residents. The materialist behavior that is dominant in them really does not reflect Ngadas culture. Both problems have become the subject of their own conversation for customary devices that will soon be sought solutions. Among them is to sanction those who speed and will replace everyone in charge of guarding the entrance to Bromo.

CONCLUSION

Based on the discussion that has been conveyed by researchers above, it can be concluded that in the diversity that lives within a country, indigenous peoples are one of the parts that need to be considered for their existence. Considering the formation of a national state system exists, because the customary state system is developed, and the customary state system exists because of the existence of indigenous peoples who then form a community with all the wealth and culture that they preserve and believe in accordance with the sociological circumstances, as well as the existing geography.

Cultural values and local wisdom are one of the foundations of the existence of indigenous peoples. Because, through these values, indigenous peoples do all forms of law that they believe in and the system of life that has been agreed together to realize a regularity in the lives of indigenous peoples, especially indigenous peoples Tengger tribe.

As a country that is so large and abundant in its nation's wealth of culture and customs values need to maintain that wealth. Because as stated in the mandate of the Indonesian constitution, the government is obliged to protect and maintain cultural values and customs, especially those in the Tengger tribal customary legal community in accordance with article 18 B of the Constitution of the Republic of Indonesia year 1945. The lawmakers, especially the House of Representatives and the President if necessary, reformulate the Law that discusses the protection and respect of indigenous peoples in the frame of the unitary state of the Republic of Indonesia. For the preservation of local wisdom and culture and the values contained in it. As a form of our respect for the culture and customs that exist in Indonesia as part of the historical roots of the native democracy of the Indonesia.

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