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Politics of Law Affirmative Action on Empowerment of Laut Tribes in Lingga Regency

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Abstract--Indonesia is a country that has cultural diversity, ethnicity, religion, and regional languages. Indonesia, with its diversity, has much ethnic powerlessness, so that it affects and creates disparities in society. Therefore, the government needs to be encouraged to approach formulating policies to empower tribal communities in Indonesia. This study aims to find out how the legal politics of affirmative action towards the empowerment of the Laut tribe in Lingga Regency. This research is a qualitative descriptive study with a normative juridical and empirical juridical approach. Primary data or materials in this study were obtained directly from informants through field research. The types of data used are library research, interviews, and focus group discussions. The data were analyzed using the Miles and Huberman models, namely by data reduction, tabulation of data, presentation of data, and concluding. The results in empowering the marine tribal community required local regulations to improve the community's welfare in various aspects of life. The empowerment of the Lingga marine tribe can be painted by involving collaboration between the government, the private sector, and the community.

Keywords--affirmative action policy, community empowerment, culture change, law country, politics of law.

Introduction

Social change occurs intentionally or unintentionally in social life (Greenfield, 2018). Development is a deliberate social change. Sustainable development means that development can meet all the needs of each generation so that there are linkages between economic, social, and environmental (Atabaki & Aryanpur,

2018; Baumgartner, 2019; Marín-gonzález et al., 2021; Melissen et al., 2016; Mensah, 2019). Development in Indonesia has been stated in the fourth paragraph of the 1945 Constitution. Riau Islands Province is part of the province that carries out development through the plans contained in the medium and long-term development plans. As a particular province, because of the dominance of the sea, the Riau Islands province should have carried out development by looking at the characteristics of its people. Most of the Riau Islands community are coastal communities that work in the marine sector, consisting of fishers, marine product processors, fishing gear makers, and buying and selling marine products. Lingga Regency is one of the districts that have this type of work. With an area of 2,267 m² and some sub-districts as many as ten districts. The number of villages is 82 villages, and the number of villages is seven villages. Lingga Regency is the location of the *Laut* Tribe's residence (Kojima, 2012; Moro & Norman, 2003).

The *Laut* Tribe, who lives in the waters of the Riau Archipelago, is a group of people whose lives are very tied to the sea; they live a nomadic life. According to Azhari et al. (2020), the *Orang Laut* in Lingga still lives a life of wandering in the sea for several months around the waters around Lingga Nusantara, Batam, Bintan to Anambas, Singapore, and Malaysia. Based on data obtained from the Kajang Foundation research team in 2020, the *Laut* Tribe People in the Riau Islands have spread over five districts with an estimated 12,800 people and 44 locations. Some of the *Laut* tribes in Lingga Regency have already occupied land, although their settlements are still found above water. The *Laut* tribes chose to live in canoes and traveled between islands (Sijtsma et al., 2019). However, the number of *Laut* Tribal groups is not the same in every inhabited area (Parsons et al., 2021).

The *Laut* Tribe has a unique tradition with the sea. The *Laut* Tribe has environmental wisdom due to a process of adaptation to environmental changes that have occurred from generation to generation (Reineman et al., 2021). The process that lasted decades formed a kind of problem-solving mechanism (McKenzie et al., 2021). Local wisdom a community possesses is obtained through a long process (Srinivas et al., 2019). Its existence is the result of adaptation through a social learning process to the conditions and dynamics of the environment, both the natural environment and the social environment. The socio-economic conditions in each region are also different (Elwell et al., 2020; Arana Landin, 2020). *Laut* tribes located on land have been sent home as in the village of Kelumu, Lingga district. They have switched places of residence provided by the government through the housing development program. In line with that, research results on *Laut* tribes in Batam City show that marine tribes in Batam City tend to choose a permanently stable life in settlements compared to their previous life. The *Laut* Tribe community is characterized by economic, social, cultural, and political powerlessness. This society materially has not been able to meet the needs of life as a normal human being (Warikoo & Allen, 2020). They experience limitations in their social environment both for socializing, interacting vertically and horizontally. They are culturally unequal treated and seen as an undergrad in the segmentation or social structure. Politically, they also do not have the opportunity to negotiate the policies implemented in their area. *Laut* tribes have social, economic, access, institutional, and cultural issues with the

community (Entress & Anderson, 2020; Sofo & Wicks, 2017). This problem causes the *Laut* tribes to feel isolated and challenging to get along with the community (Sianipar et al., 2013; Fraser et al., 2006).

Empowerment is giving the authority to delegate authority to other parties to improve the ability of certain groups. Empowerment can be applied to aspects of human life, including physical, mental, social, financial, educational, and other aspects (Hossain et al., 2019). Empowerment aims to build community welfare through economic activities carried out (Huang et al., 2018). Empowerment has programmatic ideas that can target subjects through debriefing and skill improvement (Hayati et al., 2019; Shen et al., 2020). Empowerment can involve the private sector and other communities to establish cooperation in achieving program objectives. Collaborative Governance is a process in which various stakeholders are involved in carrying out the interests of each agency in achieving common goals (Martellucci et al., 2018; Zhang et al., 2019). Collaborative Governance is an arrangement that regulates one or more public institutions that are directly involved with non-public stakeholders in a formal, consensus-oriented, and joint deliberation manner (Putri & Salim, 2020).

Affirmative action is a policy that can temporarily open up opportunities for certain community groups to achieve the same opportunities as others (Fallucchi & Quercia, 2018; Fleischmann & Burgmer, 2020). Affirmative action is a positive action that is directly constructive and provides easy treatment for minority groups. Affirmations can either compensate or encourage progress to create an enabling environment for individuals where race and gender are no longer barriers to one's ability to thrive (Tingey et al., 2020). Affirmative action in this definition provides procedures and guidelines to ensure eligible citizens and interests, regardless of race, ethnicity, gender, religion, or age (Newton et al., 2020; Supeni et al., 2019).

Maritime-based public policy in the form of statutory legal politics for archipelagic regions must be given the broadest possible space in exploring all existing potentials because it is guaranteed by the 1945 Constitution of the Republic of Indonesia. State power can be used to realize collective ideals (Mayson, 2020; Ristroph, 2020; Zilis, 2020). Including providing adequate space as broadly as possible on the empowerment of *Laut* tribes, indigenous tribes in Indonesia are characterized by the sea (Nimit, 2021). This research emphasizes concrete actions in regulatory politics at the regional level to provide protection and empowerment for Tribal *Laut* communities, especially in Lingga Regency. This research focuses more on encouraging the formation of regional legal products in a Regent's Regulation to provide a legal umbrella for empowering marine tribes in the area, especially Lingga Regency (Škerlavaj et al., 2007; Linnenluecke & Griffiths, 2010).

Research Method

This research is a qualitative descriptive study with a normative juridical and empirical juridical approach. This study involved marine tribes in the Lingga district of the Kepulauan Riau province, Indonesia. This study uses primary data obtained directly from the *Laut* Lingga tribe through field research. This research focuses on the life of the *Laut* linga tribe, which is used as a reference for making

regulations. The study data were obtained through library research, interviews, observation, and focus group discussions (FGD). Data analysis used the Miles and Huberman model, namely data reduction, data tabulation, data presentation, and concluding (Tanwete & Kombinda, 2020; Putrayasa, 2017).

Result and Discussion

In general, the conditions faced by the *Laut* tribes up to Lingga district today can be seen in table 1.

Table 1
The condition of the Lingga *Laut* tribe

No	Item	Problem
1.	Education	<ol style="list-style-type: none"> 1. School-age children have a limited number of schools to study (During school) 2. Children who do not go to school choose to go with their parents to the islands. 3. The departure of his parents around the island for a long time does not match the school schedule, which requires students to be present at school every day. 4. Laut tribe children who attend school still experience bullying at school, which impacts the reluctance of Laut tribe children to come to school.
2.	Emplacement	<ol style="list-style-type: none"> 1. Provision of houses for sea tribes has not been evenly distributed 2. Uncertain land ownership status is an obstacle in providing housing assistance. 3. Unsustainable housing assistance.
3.	Sanitation and Clean Water	<ol style="list-style-type: none"> 1. The limited number of wells. This happens at almost all location points. When the dry season arrives, the well is dry. At times like this, <i>Orang Laut</i> will go to another island to fetch water. 2. A Limited number of springs can be used for good construction. 3. Cultural Issues. Not all <i>Laut</i> tribes want to take clean water from available wells.
4	Population Administration	<ol style="list-style-type: none"> 1. There is still a lack of marriage registration for the people of the Sea Tribe, so there are married couples who have not been married and do not have a marriage book. 2. Residents generally already have ID cards, medical cards, fisherman cards. However, it is often lost if held by their respective owners. Therefore, the local <i>RT/RW</i> head took over the role. All documents belonging to the Laut tribe are kept by the head of the <i>RT</i> or <i>RW</i>.
5	Health Access	Health facilities such as health centers are quite far from where the <i>Laut</i> tribes live. So, it took a long way to get to the health center. The <i>Laut</i> Lingga Tribe went to the puskesmas to go to <i>Daik Lingga</i> and <i>Dabo Singkep</i> .

Based on table 1, the problem of *Laut* tribes in Lingga district (1) Lack of clean water sources; (2) Lack of numbers and poor living conditions; (3) Sea Tribe women are powerless; (4) Low level of education and illiteracy; (5) Low Potential of Human Resources; (6) Weak Customary Political Institutions and Institutions; (7) No Territorial Ownership and Control System; (8) Lack of Mentoring of Religious Figures; (9) Access to Remote Health Institutions; (10) Lack of Access to Education and Technology Knowledge; (11) Limited Interaction and Social Networks. The social relations of the *Laut* Tribe community with the local community are not so intense due to; first, the location where they live is quite far from the surrounding community. Second, there is a reluctance for the *Laut* Tribe community to interact with the local community due to fear, shame, and inferiority (Supeni et al., 2019). It must be facilitated by the tribal chief if they want to deal with local communities and the government (Negash, 2021). Third, the stereotype attached to the *Laut* Tribe community is a slum, dirty, rarely bathes, keeps unclean animals so that local people limit the intensity of communicating with them (Qamariah et al., 2020). Based on the problem of the *Laut* tribe, it is necessary to take concrete steps to form a Regent Regulation regarding the empowerment of the Indigenous Sea community so that every regional apparatus organization in Lingga Regency (Hamzehnejad et al., 2020; Holcombe & Kemp, 2019). The role of the government, the private sector, and the surrounding community are needed to develop indigenous community empowerment programs that are in direct contact with aspects of the social life of the marine tribal community of Lingga Regency (Licht et al., 2005; Cross, 1999).

The need for affirmative action steps by the local government of Lingga Regency in terms of empowerment in a planned, directed, and sustainable way for the *Laut* Tribe Community. The concept of empowerment in question is all efforts to improve welfare through the establishment of policies, programs, and activities by the essence of the problem and the priority needs of the *Laut* Tribal community to meet their basic needs. In addition, politics in law needs to be carried out by drafting regional regulations related to the empowerment of marine tribal communities (Sulistijo et al., 2021). The regulations must support the indigenous peoples of the *Laut* tribes, including settlements, cleaning, population administration, religious life, health, education, food security, employment, legal, social, and environmental assistance (Helms, 2009; Mauerhofer, 2019).

The unique Sea Tribe in their daily life requires special handling. Hence, the need for affirmative action steps for the local government of Lingga Regency in terms of empowerment in a planned, directed, and sustainable manner for the *Laut* Tribe Community through establishing a Regent Regulation concerning the Empowerment of the Sea Tribe Community. The Regional Government in implementing empowerment through Regional Apparatus with their duties and functions. Empowerment is carried out through policies, programs, and activities that follow the essence of indigenous peoples' problems and priority needs to meet basic needs (Ramadani et al., 2021; Hadpagdee et al., 2021).

Conclusion

The empowerment of the sea tribe community requires local regulations to improve the community's welfare in various aspects of life. Affirmative action

steps for the Lingga Regency Government are needed in empowerment in a planned, directed, and sustainable manner. The empowerment of the Lingga marine tribe can be described by involving collaboration between the government, the private sector, and the community. The government needs affirmative law politics in making policies and regulations to improve the welfare of the Lingga Laut tribe community. This research is expected to be a material consideration for related parties in managing the tribes in their area to develop and prosper (Nugraha et al., 2020; Rinarta et al., 2018).

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