

Adjusting the Conservation Values through Common and Traditional Laws to Protect Turtles: The Case Of Enggano Island

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Abstract: The population of turtles in the sea of Enggano Island is threatened with extinction, due to over-exploitation regardless of its protection. The government has regulated turtle protection by establishing Law Number 5 of 1990 concerning Conservation of Natural Resources and Ecosystems. The functionaries of the customary law of the Enggano also made a similar effort by developing material on the contents which regulates the protection of turtles. This study raises the issue of how to adjust conservation values in national law and Enggano customary law in turtle protection? This research was a sociological juridical study and used a qualitative approach that starts from legal sociology, carried out on Enggano Island, by utilizing formal and non-formal leaders as informants in the Kaitora tribal community, Kaahoa, Kaarubi, Kauno and Kaharuba, who live in villages - Enggano Island village. The results of the study found, first, that the substance of the Enggano customary law norms had conservation values related to the protection of turtles stated in the formulation of customary law norms which contained the prohibition of catching turtles for all needs, except for the need for ceremonial grandeur (yakadea) if being disobey, the sanctions will be given in the form of customary fines amounting to money, must pay for traditional ceremonies as a media for imposing social sanctions in the form of apologies to tribal leaders and other Enggano island communities. Second, that the choice of adjusting the conservation values in national law and Enggano Customary Law in turtle protection can be done by describing the norms of turtle protection which stated in national legal norms into Village Regulations, or Customary Village Regulations which are a unity with the system hierarchy of laws and regulations in the Indonesian legal system, and accompanied by the obligation of indigenous peoples to carry out turtle breeding that can be used for the needs of traditional ceremonies and wedding ceremonies as an effort to preserve the traditions of the Enggano island community. The adjustment of conservation values of turtle protection through the integration of legal substances (Law, Government Regulation on Village Regulations) is the best model in optimizing the protection of turtles without sacrificing the interests of traditional rituals that are still maintained for generations in the lives of the Enggano people.

Index Terms:, Enggano, conservation, customary legal turtle

1 INTRODUCTION

Enggano Island is the southern island between Simenlue Island, Nias Island, Siberut Island and Mentawai Island and located on the western coastline of Sumatra Island. In the government administration, Enggano Island is a sub-district and integrated into the North Bengkulu Regency, Bengkulu Province. The mainland of Enggano Island has an area of 68,000 hectares or 680 km², in details of 40 km long and 17 km wide. Around this island there are several small islands surrounding it, those are Pulau Dua, Merbau Island, Satu Island and Bangkai Island (Kaarubi, 2007). The inhabitants of Enggano Island including 5 (five) ethnic groups which are pure Enggano tribe, each of them are Kaahowao tribes, which came from the word (ahua'y) = ko'iyao, and better known as the bagug, bagug tree (melinjo), Suku Kauno, which came from the word ea'unno, which is kind of fish that swarms swiftly in the face of the sea and the ocean, and is useful for human life. The Kaitora tribe, which came from the word itorra (terrace) is wood that very strong and hard and useful for human livelihoods.

The Kaarubi tribe, which came from the word eadubbi, planting grows whose stems are tall and straight will not be inferior to the surrounding trees, although the trunk is straight (thin) and useful for human livelihoods, and the Kaharuba Tribe, which came from the word ubah'hi which the inheritant behavior always change to what exists as open thinking (Kaarubi, 2007 As the outer island, Enggano has strong customs in everyday life, which still active until now. One of them is the use of turtles as a traditional ritual need, such as welcoming large guests, opening abstinence from deceased tribal leaders, appointing new tribal chiefs, relocating villages, and inaugurating new villages and marriages. Enggano customary law has conservation value that aims to protect sea turtles. For the needs of traditional ceremonies, the illegal catching of sea turtles is difficult to avoid, so that the custom of Enggano residents has made conservation efforts in the use of turtles for traditional rituals by limiting the number and size of turtles that being caught. For the maximum number of turtles allowed 5 animals with a size of 60 cm karavas length and when catching more than the customary requirements and more than the stipulated conditions, financial penalties will be given which need to give certain amount of money, and are obliged to release the sea turtles. The turtle population in the Enggano Island is threatened with extinction, because the people keep the tradition of consuming sea turtles which were initially limited to traditional ceremonies, turtles are also used for consumption at weddings, even the most worrying, have led to turtle smuggling for trafficking. Overexploitation regardless of its protection, causes a population of turtles that are already rare, increasingly threatened with extinction. The government has taken actions to protect sea turtles by enacting positive legal norms accompanied by threats of criminal sanctions, among others, regulated in Article 21 of Law Number 5 Year 1990 concerning Conservation of Natural

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Resources and their Ecosystems, "Whoever catches, injuring, killing, storing, possessing, preserving, transporting and trading protected wild animals in living and dead conditions may be subject to criminal sanctions in the form of a maximum sentence of 5 (five) years and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiahs). "Similar efforts were also responded by the customary law functionaries of the Enggano customary law community by developing material on the content of the Enggano custom law which regulates the protection of turtles, which was formed on the basis of customary agreements from 6 (six) tribes of Enggano Island which later became the customary law in Enggano Island. Therefore, efforts must be made to consolidate the value of turtle conservation contained in the Enggano customary law with the conservation value in the national law that regulates turtle protection. Based on the background and urgency of the research as outlined above, the problem is formulated on how conservation values in the order of Enggano customary law relating to the turtle protection? and how to adjust the conservation values in national law and Enggano customary law in turtle protection without sacrificing the interests of traditional ceremonial traditions?

2 METHODS

Research by Hartiman (2014), found the fact that the practice of exploiting natural resources that still occurs until now is the exploitation of sea turtles in Enggano Island. The study recommends to save the environment and manage natural resources by optimizing Enggano customary law. The good point is that natural resource management that is guided by customary law will have a positive impact on reducing the rate of environmental damage in Enggano Island, which is a vulnerable island for ecosystem. Jaja Mulyana, concluded from his observations as Head of Region One which covers conservation areas in Enggano Island, that until now the consumption of turtles has not followed good and correct methods, resulting in an imbalance between the level of utilization and the level of increase in turtle population. Excessive exploitation regardless of its protection causes the population status of the turtle that is already scarce to be increasingly endangered. the results from Rahmat (2016), University of Bengkulu students, regarding the Study "the exploiting of Turtles in Enggano Island", stated that in traditional rituals in Enggano, turtles were used as consumption for the community and the number of turtles that being catch was endless depending on how much they got from sea hunting." The Enggano customary leader explained that traditionally the Enggano residents had made conservation efforts in turtles' exploitation for traditional rituals by limiting the number and size of turtles that being caught. The maximum number of turtles is 5 animals with a size of 60 cm karavas length and if caught more than the needs of traditional ceremonies and more than the stipulated conditions, will be subject to sanctions of money of Rp. 2,500,000.00.- (two million five hundred thousand rupiahs) and in the case of catching or surviving sea turtles, it is mandatory to release the sea turtles that got caught. This study examines the other side of efforts to protect sea turtles, by reviewing the conservation values in the Enggano customary law that might have suitable with the conservation values that underlie national law. Sociological jurists approach was used in this study, which view the operation of legal order in society

is rooted in social acceptance, not compulsion from above (Ehrlich, 1962, Rahardjo, 1980; Hadikusuma, 1986). The sociological juridical approach that starts from the sociology of law provides the ability for understanding the law in a social context, analyzes the effectiveness of law in society, both as a means of controlling social, changing society and regulating social interactions in order to achieve certain social justice (Houtte in Soerjono Soekanto, 1988). Through a sociological juridical approach, we can explore local legal values in this case the conservation value of turtle protection in Enggano Customary Law, to be compared and harmonized with turtle conservation values in positive law / state law. The research was carried out in Enggano Island, which included the indigenous communities of the Kaitora, Kaahoa, Kaarubi, Kauno and Kaharuba tribes, who lived in the Malakoni, Apoho, Meok and Kahyapu, where the traditional ceremonies which exploiting turtles took place. The research informants included all non-formal law officers which are Enggano traditional functionaries from 5 (five) tribes each Kaitora, Kaahoa, Kaarubi, Kauno and Kaharuba, and community members from 5 (five) indigenous communities in the research location determined based on their skills, breadth of knowledge concerning the consumption of turtles and traditional ceremonies handed down from generation to generation. The collection of primary data is obtained through interviews and focused discussions throughout the research process in order to re-discuss all findings, information, interpretations with the informants so as to strengthen the opportunities for adjusting conservation values in local wisdom (Enggano customary law) and positive law / state law.

3 FINDINGS AND DISCUSSION

3.1. Conservation Values of Enggano Customary Law relating to Turtle Protection

The study revealed that the practice of turtle hunting in the tradition of the Enggano Island was originally intended to fulfill consumption needs in the ceremony of greatness of adat (yakadea), which was carried out in every form of the Bujang marriage ceremony with the girl that well done, relocation or reaffirmation name of tribal settlement based on the customary legal, inauguration and inauguration of an elected Chief Officer. In carrying out the traditional ceremonies, the main dish is turtle meat. The informant said, "The ceremony for the greatness of adat (yakadea) is incomplete if there is no turtle meat as dishes, and turtles are a symbol of a traditional ceremony" (Interview, Pabuki, Enggano tribal leader, 2017). Basically, if the tradition of hunting sea turtles and consuming turtles is done consistently only for ceremonies of greatness (yakadea), then the hunting of turtles does not threaten the extinction of these endangered protected animals. Especially in the customary law of the Enggano Island, there are large criteria and the number of turtles that may be catch. As revealed in an interview with the leader of the Kaitora tribe (2017), stated "The practice of turtle hunting is carried out according to the needs of 5 to 6 turtles, with the criteria of proper consumption, adult turtles. Restrictions on sea turtle hunting are supported by the condition of turtle populations in the Enggano sea which are beginning to decrease. Previously the turtles that were caught weighed up to 300kg, which worth to consume. "The researcher sees the existence of customary rules that limit the number and criteria of turtles that may be

catch as a community commitment that turtles should not over-exploit. However, the threat of turtle conservation in the Enggano sea is increasingly threatened, because of the failure of the implementation of the Enggano customary law itself, where turtle hunting no longer adheres to the restrictions imposed by customary law. In addition, the development of turtle consumption is not limited to traditional ceremonies, but also in other forms of ceremonies, such as marriage ceremonies other than single girl marriages, ceremonies welcoming the birth of children, ceremonies for the death of one tribal resident, ceremonies for giving donations to adat (padabuki), traditional ceremonies in the context of small customary peace (yakodoa yahobba), and great peace according to the traditional ceremony (yakodoa kaodada). Along with the tradition of traditional ceremonies with the main dish is turtle meat, until now there has been no effort by the government and local government to empower the Enggano community to carry out turtle breeding, as a solution to meet the needs of turtles in traditional ceremonies. Enggano customary law is like other customary law in general, develops through the changing of times and the necessities of life for the Enggano community. If observed in the initial phase of the beginning Enggano customary law, there are no values related to natural resource conservation, but limited to regulating fields related to personal life and interpersonal relations from and among residents of the Enggano customary law community, such as the rule of customary law which concerning in life protection, dignity and honor in social positions, and customary rules regarding the pattern of relations between Enggano indigenous peoples and their lands belonging to the Enggano customary community. The customary law norms relating to conservation, develop along with the knowledge of the Enggano indigenous people to the environment and environmental resources themselves. This knowledge in the next phase gave rise to awareness in the use of environmental resources. For example, the birth of Enggano customary law prohibits turtle hunting activities indefinitely, after the knowledge obtained from national law which first regulates turtles as endangered species as stipulated in Law Number 5 of 1990 concerning Conservation of Natural Resources and Biodiversity, then followed by customary rules that have conservation value. This research found legal facts, the development of Enggano's customary law substance which contained conservation values indeed began after the enactment of national law. The substance of Enggano customary law is found in the agreement document stated in the Leader Decision of 2009 concerning Processing of Natural Resources, Animals and the Opening of Land, Processing and Conservation of the Enggano Island Coastal Area in the Effort to Rescue Enggano Island from the Threat of Abrasion. The agreement is the culmination of the development of Enggano customary law which has conservation value, as an advance in thinking that is influenced by knowledge based on written positive law. Since then, Enggano customary law has customary legal norms that regulate efforts to conserve environmental resources. The rules in Enggano customary law were introduced as a reaction of the community and the needs of the Enggano community as long as it relates to the conservation of environmental resources, among others, known from the rules relating to the protection of turtles, which are regulated in norm groups relating to sea and river products, formulated in customary law which reads: Crocodiles / turtles are strictly prohibited from

being taken or traded. Enggano people are allowed to cultivate crocodiles / turtles, but must go through the applicable provisions and customs procedures of Enggano Island. For turtle catches, for the Enggano indigenous people, specifically for traditional events or traditional parties, it is only permissible for the needs of the traditional party. "Sanctions for violating these rules are subject to customary fines of Rp. 2,500,000 (two million and five hundred rupiah) and make traditional ceremonies present tribal leaders and traditional leaders to apologize. For those who catch crocodiles and sea turtles without permission from the local government and tribal chief, it will be processed according to the law. The beginning of customary rules of conservation value, reflecting the ongoing unrest of the indigenous functionaries of the Enggano customary community will endanger the sustainability of environmental resources, including various types of turtles whose presence in the waters of the Enggano island has diminished. The process of the introduction to the Enggano customary law order is relevant to the historical viewpoint, developed by Von Savigny who stated that: There is an organic relationship between the law and the character of a nation. Law is only a reflection of volkgeist. Therefore, customary law that grows and develops in the volkgeist womb, must be seen as the true law of life. True law is not made. He must be found. Legislation is only important as long as it has the declarative nature of the true law. There needs to be in-depth research on what is the spirit of the nation's soul, and what are the beliefs of the nation that can be the basis of an adequate legal order (Tanya et al., 2013). Wolfgang Friedmann, citing Savigny's thesis, states "Law does not arise by chance, but is born of the inner consciousness of the people. That is why, the law developed according to the development of its people, and finally disappeared when the people lost their nationality. Because of this volkgeist element, a legal order (including in the form of legislation) cannot be universal. Law is always a contextual for a particular nation (Tanya et al., 2013). It is very clear that in the latest developments, the Enggano customary law no longer allows turtles hunting arbitrarily, both for consumption and trade, and the confirmation of the rules for turtle utilization is limited to traditional ceremonies. This was stated in the agreement of the chief who declared customary law that read "Crocodiles / turtles are strictly prohibited from being taken or traded. Enggano people are allowed to cultivate crocodiles / turtles, but must go through the applicable provisions and customs procedures of Enggano Island. For turtle hunting, for the Enggano indigenous people, specifically for traditional events or customary parties, it is only permissible for the needs of the traditional party. does not close the opportunity to be processed based on national law.

3.2. Adjusting the Conservation Values in National Law to Enggano Customary Law in Turtle Protection without Sacrificing the Interests of Traditional Tradition

The regulation of turtle protection is an international agreement that originated from the CITES Convention, which was signed in Washington on March 3, 1973, expressly stated that all types of sea turtles are regulated in CITES Appendix I, as a protected animal and should not be used because the condition is endangered. On that basis, CITES agreed to include all types of turtles into appendix I, which means banning international trade in turtles for commercial purposes. Following up on the CITES agreement, IUCN (International

Union on Conservation Nature and Natural Resources), strengthened the agreement by classifying hawksbill turtles into a list of highly endangered species, while green turtles, olive turtles and loggerhead sea turtles are classified as endangered. In addition to CITES, the international community also agreed to protect biodiversity as stated in the United Nations Convention on Biological Diversity, known as the Biodiversity Convention in 1992 signed by 157 heads of state and / or heads of government or state representative at a meeting in Rio de Janeiro, Brazil. This convention affirms that biodiversity conservation is a shared concern of all humanity, where States have sovereign rights over their biological resources, so that they are responsible for the conservation of their biological diversity and for the sustainable use of their biological resources. All of them are based on the concern that biodiversity is experiencing a real reduction due to certain human activities (Biodiversity Convention Opening). The turtle protection agreement after CITES 1973 and 1992 Biodiversity Convention, ASEAN countries, held a meeting and signed a joint agreement on Turtle Conservation and Protection on September 12, 1997 in Thailand. Then in 2001 signed a memorandum of understanding under the Convention on the Conservation of Wildlife Migratory Species, known as the Sea Turtle Agreement of the Indian and Southeast Asian Regions. Each country that binds itself to CITES 1973, the 1992 Biodiversity Convention and regional state conventions, each must ratify the results of the convention into the national legal system, then apply it consistently in the protection of turtles. The focus of the Indonesian government towards turtle conservation has begun after the signing of CITES 1973, which was followed up by ratifying the international agreement into Presidential Decree No. 43 of 1978 concerning CITES (International Convention on the Endangered Species of Wild Fauna and Flora) or International Convention Governing Trade Endangered Wild Animals and Wild Plants, as contained in the State Gazette of 1978 Number 51. National legislation driven by concern for turtle protection is increasingly threatened with extinction, finally realized by establishing Law Number 5 of 1990 concerning Conservation of Biological Resources and Their Ecosystems which implicitly regulates turtle protection, as stipulated in Article 21 which reads:

(1) Everyone is prohibited from:

- a. take, cut, possess, damage, destroy, maintain, transport, and trade protected plants or their parts are alive or dead;
- b. remove protected plants or their parts alive or dead from a place in Indonesia to another place inside or outside Indonesia.

(2) Everyone is prohibited from:

- a. arrest, injure, kill, store, possess, maintain, transport, and trade protected animals in living conditions;
- b. store, own, maintain, transport and trade protected animals in a dead state;
- c. removing protected animals from a place in Indonesia to another place inside or outside Indonesia;
- d. trade, store or own skin, body or other parts of protected animals or goods made from parts of these animals or remove them from a place in Indonesia to another place inside or outside Indonesia;
- e. take, destroy, destroy, trade, store or own eggs and / or nests of protected animals.

Prohibited acts as stipulated in Article 21 of Act Number 5 of 1990, whether carried out "intentionally" or because of "negligence", are subject to criminal sanctions, with qualifications of violations, as stipulated in Article 40 paragraph (2) and paragraph (4) which reads:

Paragraph (2):

Anyone who intentionally violates the provisions referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be punished with a maximum imprisonment of 5 (five) years and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah).

Paragraph (4):

Whoever is due to negligence violates the provisions as referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be punished with a maximum of 1 (one) year imprisonment and a maximum fine of IDR 50,000,000 (fifty million rupiah). The concretization of state concern in turtle protection is further regulated in Government Regulation Number 7 of 1999 concerning Preservation of Plants and Animals, which is the implementation of Law Number 5 of 1990 concerning Conservation of Biological Resources and their Ecosystems, in Appendix III number Reptilia (creeping) expressly stipulates turtle protection, which includes loggerhead turtles (*Caretta caretta*), green turtles (*Chelonia mydas*), leatherback turtles (*Dermodochelys coriacea*), hawksbill turtles (*Eretmodochelys imbricata*), ridel turtles (*Lepidochelys olivacea*), flat turtles (*Natator depressa*). Indonesia also signed the 1992 Biodiversity Convention, by ratifying it through Law Number 5 of 1994 concerning Ratification of the United Nations Convention on Biological Diversity (United Nations Convention on Biological Diversity). Considering the Law, among others, emphasizes that "biodiversity is experiencing a reduction and loss that is evident due to certain human activities which can cause disruption of the balance of living systems on earth, which in turn will disrupt the ongoing life of humans". Then the policy of national legislation in turtle protection is also emphasized in Law Number 31 of 2004 concerning Fisheries, as stipulated in Article 7 paragraph (5) which reads: The Minister determines the types of fish and water areas each of which is protected, including marine national parks, for the benefit of science, culture, tourism, and / or the preservation of fish resources and / or their environment.

Explanation of Article 7 paragraph (5), confirms:

What is meant by "types of fish" are: a. pisces (finfish); b. crustaceans (shrimp, crab, crab and the same kind); c. molluscs (hyacinth shells, oysters, squid, octopus, snails and the same kind); d. coelenterata (jellyfish and the same kind); e. echinodermata (tripang, sea urchins and the same kind); f. amphibia (frog and the same kind); g. reptiles (crocodiles, turtles, turtles, monitor lizards, water snakes and the same kind); h. mammals (whales, dolphins, dolphins, dugongs and the same kind); i. Algae (seaweed and other plants that live in water) and j. other aquatic biota that are related to the types mentioned above. Everything includes the parts and protected fish. The regulation of turtle protection, is quite wise in considering the possibility of ongoing practices in the tradition of traditional communities in consuming sea turtles, as is still the case with traditional rituals and weddings among the people of Enggano Island. National law in the field of turtle

protection continues to accommodate the ongoing practice by providing opportunities for turtle utilization along with its parts including eggs, which are still possible, by means of, first, through captivity, whose implementation is required to have a permit from an authorized institution, as stipulated in Article 52 Government Regulation Number 8 of 1999 concerning Utilization of Types of Plants and Wildlife which regulates: (1) Anyone who catches wild plants and or wild animals without permission as referred to in Article 9 paragraph (1) can immediately be sentenced to an administrative fine of a maximum of Rp25,000,000.00 (twenty five million rupiahs) and / or revocation of breeding permits. (2) If the action referred to in paragraph (1) is carried out on protected plants and / or animals punished for committing acts that are prohibited according to the provisions of Article 21 of Act Number 5 of 1990 concerning Conservation of Biological Resources and their Ecosystems. Second, enable to use if it is on a conditional basis, which specifically applies to Green Turtles (*Chelonia mydas*) and Hawksbill Turtles (*Eretmochelys imbricata*), the condition is when experiencing excessive populations and their existence outside conservation areas. enable to use turtle eggs is based on the provisions stipulated in the Decree of the Minister of Forestry and Plantation No. 751 / Kpts-II / 1999 concerning Procedures for Application, Granting and Revocation of Business Licenses for Hunting of Green Turtle Eggs (*Chelonia mydas*) and Hawksbill Turtles (*Eretmochelys imbricata*). Authorized turtles' protection institution, based on Article 65 of Government Regulation Number 8 of 1999 concerning Utilization of Plants and Wildlife Types, namely the Department responsible for Forestry, Management Authority for Wildlife and Plant Conservation and Indonesian Institute of Sciences (LIPI) which designated as a Scientific Authority. Thus the implementation of plant and animal conservation is carried out by the Ministry of Forestry (now the ministry of forestry). This research reveals the fact that the norms from international conventions and national laws in the field of turtle protection have not been applied in the protection of sea turtles in Enggano Island, one of it is due to the order of turtle protection in Enggano traditional law. Turtle protection in Enggano Customary Law shows the development of substances that are slowly moving to conform to national legislation. This is evidenced by the discovery of the Enggano customary law which regulates sea and river products, among others, found customary norms formulated in customary law that read: "Crocodiles / turtles are strictly prohibited from being taken or traded." The practice of turtle hunting that is still ongoing, which was originally without restrictions, began to be restricted, so that the capture of turtles, especially for traditional events or traditional parties is allowed only for traditional party needs. Observing the international agreements, provisions in laws and regulations, and provisions in Enggano Customary Law as far as turtle protection is concerned, it appears that the conservation values of turtle protection in Enggano Customary Law (positive unwritten law) have in common with conservation values contained in national legal norms (written positive law), even the process of occurrence is strongly influenced by national law, but has differences in the form and type of sanctions that can be imposed, where customary law prioritizes customary sanctions assessed with a number of cash, and social sanctions in the form of apologies made specifically in a traditional ceremony. Opportunities to adjust the conservation values stated in national legal norms (written positive law), can

be done through the approach of village government institutions by utilizing the authority that has been owned by the village government to further regulate the provisions of state (national) law on protection turtles in the contents of the Village Regulation on Turtle Protection. Another alternative that is also very possible, which is through the policy of changing the status of villages in Enggano Island into traditional villages. Opportunities for the establishment of traditional villages in the era of the enactment of Law Number 6 Year 2014 concerning Villages, are very open, including in accordance with the provisions in Article 96 which states "The Government, Provincial Government, and Regency / City Governments conduct structuring of indigenous peoples designated as *desa adat*." In the end the means of adjusting the legal substance of sea turtle protection is regulated in the Customary Village Regulation on turtle protection, which is part of the hierarchical system of legislation in the Indonesian legal system. The adjustment of turtle conservation values stated in both the rules of living law and conservation values in the state law is the right solution, where traditional ceremonial traditions are maintained, and turtles can be protected from extinction.

4 CONCLUSIONS

Based on the results of the research and discussion previously described, it can be concluded: 1. That the substance of the Enggano customary law norms has conservation values relating to the protection of turtles which are stated in the formulation of customary law norms which contain a prohibition on catching turtles for all needs, except for limited requirements for the implementation of customary ceremonies (*yakadea*). Licensing provisions for tribal chiefs are used as a means of guaranteeing the involvement of Enggano citizens against customary law in the field of turtle protection, if sanctions can be imposed sanctions in the form of customary fines of money, must pay for traditional ceremonies as a means of imposing social sanctions in the form of apologies to the chiefs and people of Enggano Island others. 2. That the choice of adjusting conservation values in national law and Enggano Customary Law in turtle protection can be done by describing the norms of turtle protection contained in national legal norms into Village Regulations, or Customary Village Regulations which are a unity with the system hierarchy of laws and regulations in the Indonesian legal system, and accompanied by the obligation of indigenous peoples to carry out turtle breeding that can be used for the needs of traditional ceremonies and wedding ceremonies as an effort to preserve the traditions of the Enggano island community. The adjustment of turtle protection conservation values through the integration of legal substance (Law, Government Regulation Village Regulation) is the best alternative in optimizing turtle protection without sacrificing the interests of traditional rituals which are still maintained for generations in the lives of the Enggano people. Based on the discussion and conclusions, some suggestions that can be considered are related to legal protection efforts for turtles are: 1. It is necessary to consider the implementation of a strategic policy that is *de jure* recognition of the existence of the Enggano Island customary community by changing the status of existing villages into traditional villages, and subsequently given authority to carry out natural resource management in their jurisdiction, including protecting turtles. 2. Empowerment of community

groups or village-owned enterprises is needed to conduct turtle breeding business outside the conservation area, so that it can meet the needs of traditional ceremonies without disturbing the wild turtle population in conservation areas that must be protected.

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