



# THE EXISTENCE OF INDIGENEOUS INSTITUTIONS IN SOCIETY LIFE *Case Study on the Soba Community in West Amarasi District, Kupang Regency, East Nusa Tenggara Province*

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**Abstract:** This study aims to describe and analyze the role and function of indigenous institutions in the community in running the government in the village. This study uses the theoretical framework of Soren Kierkegaard's existence theory to analyze the existence of traditional institutions in the lives of the people in Soba Village. The approach used in this study is a descriptive-qualitative approach. The reasons for the use of a descriptive-qualitative approach with a view to explaining and revealing the facts that occur in society. This research was conducted in Soba Village, Amarasi Barat Sub-District, Kupang-NTT Regency. The reason for choosing the location is that Soba Village is one of the villages that have traditional institutions, but in line with global development, the existence of traditional institutions in the community has faded. Informants in the study consisted of village heads, traditional leaders, community leaders, and Soba village communities. Field data were obtained through observation, in-depth interviews, and literature studies on the existence of traditional institutions in Soba Village. Data analysis was conducted using interactive models, including data reduction, data presentation, and conclusion. The results showed that formal institutions do not exist, but all the roles attached to the bodies of traditional institutions have been carried out by traditional leaders and community leaders and supported by the village government. The role of adat institutions in cultural preservation and as a media in conflict resolution is an important role of adat institutions (adat leaders and community leaders). Community life is more closely attached to traditional leaders, and people behave in accordance with community values that are inherited and interpreted as a hereditary tradition through behavioral attitudes and the implementation of traditional customs.

**Key Words** – Indigenous institutions, society, village government, role, communities, traditions.

## I. INTRODUCTION

Since 1998 until now, the Unitary State of the Republic of Indonesia has adhered to the principle of decentralization in organizing government by providing opportunities for each region to organize regional autonomy. This is done in the belief that many areas will benefit from decentralization. Based on the quotation of Article 18 of the 1945 law (UUD 1945), which states about the division of Indonesian regions into small and large areas with the form and composition of government stipulated in the law, which stands with the motto *Bhinneka Tunggal Ika* (it means although we are different but become one in Indonesia), this has a deep meaning in the life of the diversity of the population with various tribes, religions, languages, and customs.

The diversity of the Indonesian people is the intellectual property of local wisdom and human resources, which must be properly handled. Any interests and needs of people with different cultures and customs need to be given attention and aligned with the interests of the community. Responding to the diversity of cultural and civilized life in Indonesia, we formed cultural institutions that overshadowed the needs for the development of customs. Cultural institutions in the community play a role in the development of culture and tradition, science, environment, art, and education in the community.

Community activities aimed at the development of culture and customs are one of the wealth and uniqueness of the Indonesian state that must be preserved and developed into local wisdom with their own uniqueness. Therefore, one of the functions of culture institution is to preserve the existing culture in Indonesia. Cultural institutions play an important role in empowering, preserving, and developing the culture and customs of the community, which is centered on the sustainability of local community life and supporting the implementation of village governance.

Cultural institutions, also known as customary institutions, are a community organizations that deliberately form or reasonably grow and develop in the history of the village community or in a particular customary law community with jurisdiction and rights to property within the territory of the customary law, as well as the right and authority to regulate, manage, and resolve various issues of life related to and referring to the customs and customary law in force.

Supporting the important role of adat institutions in people's lives, the government lays it out in the village law on village adat institutions. The existence of customary institutions becomes a separate part of providing their role and function in developing customs. According to Law No. 6 of 2014, there are six village institutions, namely: 1) village Government consisting of village heads and village officials; 2) village consultative bodies; 3) community institutions; 4) customary institutions; 5) cooperation between villages; and 6) village-owned enterprises (*badan usaha milik desa*).

Traditional institutions have a duty to foster and preserve culture and customs, as well as the relationship between traditional leaders and village and sub-district governments. Lembaga adat also serves to assist the village government and is a partner in empowering, preserving, and developing customs as a form of recognition of the customs of the village community. Thus, the customary institution is a container to carry out certain tasks and functions in order to achieve certain goals, namely carrying out the tasks and functions of village government. The implementation of village government is to improve the welfare of the community by providing services and empowerment, as well as comprehensive development for the benefit of the community.

The functions of traditional institutions in the village, namely:

- a. Container and channel the opinions and aspirations of the community to the village government and village heads and resolve disputes concerning customary law, customs, and habits of the community;
- b. Empowerment, preservation, and development of customs and habits of the community in order to enrich the culture of the community and empower the community in supporting the implementation of village and village governance, implementation of development, and community development; and
- c. The creation of a democratic, harmonious, and objective relationship between the head of customary stakeholders / head of traditional leaders with the village government apparatus and the village head.

Soba village in West Amarasi subdistrict, Kupang regency, is one of the villages where people's lives are still attached to a strong culture and customs. However, the problem in this study is how the existence of traditional institutions in the village community of Soba. Because customary institutions have a very important role in the implementation of each customary tradition as well as in conflict resolution,. However, the development of society due to the development of technology and information erodes the existence of indigenous institutions in a society that has thick cultural customs.

## II. STUDY AREA

Soba village is located 28.6 km from Kupang City and is one of the villages in West Amarasi district with an area of 11,368.33 ha/m<sup>2</sup>, with the following boundaries:

1. north of the border with Taebenu District
2. To the south, it is bordered by Teunbaun village.
3. It is bordered to the east by the village of Toobaun.
4. To the west, it borders the village of Niukbaun.

The topographic condition of Soba Village is in a cluster on a plateau surrounded by mountain slopes with a slope level of 20°. Such geomorphologic conditions cause agriculture on excellent plains; there is dry land farming. Soba village's climatic conditions are largely similar to those of other communities on the island of Timor, which has two seasons: dry and rainy. From June–September, the wind comes from the Australian continent and does not contain water vapor, resulting in a dry season. In contrast, in December–March, the wind blows contain a lot of water vapor coming from Asia and the Pacific Ocean, so the rainy season occurs.

The population of Soba village in 2016 amounted to 1627 people, of whom 786 are men and 841 are women. The average population growth rate during the period 2017 amounted to 1627 people who are demographically classified as less dense.

## III. OBJECTIVES

1. to analyze the existence of traditional institutions in community life in Soba Village, West Amarasi District
2. to analyze the role of traditional institutions in the life of the Soba Village community on the existence of traditional institutions in Soba Village, West Amarasi District

## IV. LITERATURE REVIEW

Many researchers have performed studies into the existence and relevance of traditional institutions in village government. Starting from the role and function of customary institutions in the issue of customary land, regional cultural development to the synergy of traditional institutions and village governments, However, as far as the observations of researchers go, there has been no research that examines the problem of the existence of Indigenous institutions in the lives of people in Soba Village, West Amarasi District, Kupang regency, East Nusa Tenggara Province (NTT), but there are several studies that are considered relevant to this research, as follows:

Research was conducted by Utami, T. H. (2017) with the title “Synergy of village government and customary institutions in the supervision of alcoholic beverages in Datah Bilang Ulu Village, Long Hubung District, Mahakam Ulu Regency. The focus of this study is the synergy of the two related institutions in the fields of guidance and accountability to the community and supervision of alcoholic beverages in the form of raids and surprise inspections. According to the results of the study obtained from village officials and traditional institutions of Datah Bilang Ulu village in general, the synergy between the village government and traditional institutions is optimal, as is the existence of a good cooperation system in the form of guidance and an attitude of responsibility toward the people of Datah Bilang Ulu village. The supervision of the circulation of alcoholic beverages has been maximized by village officials and traditional village institutions Datah Bilang Ulu but there are still many consumers of alcoholic beverages. This happens because consumers, of alcoholic beverages buy alcoholic beverages from neighboring villages; in this case, there is a problem with the supervision of the circulation of alcoholic beverages in the village of Datah Bilang Ulu.

The similarity of the research Utami and Ndandara, et al., are both researching traditional institutions and village government, while the difference between these two studies is that the previous research examined the synergy of village government and traditional institutions, and the research conducted by Ndandara, et al., is about the existence of traditional institutions in the lives of the people in Soba village, Amarasi Barat District, Kupang-NTT Regency.

Concepts are a very important part of scientific research. The conceptual framework is considered very important because the explanation of the concept is one part that is very helpful for researchers during the research process and also very helpful in understanding the research results. The concepts used in this study are : existence, related to the cultural context; the existence intended in this study is the existence of a culture or tradition in the life of a society. The second concept is society. According to Soekanto, people are people who live together in a group or community and produce culture. Thus, there is no society that does not have culture, and vice versa, there is no culture without society as a place of support. The third concept is traditional institutions. Lembaga adat desa is a community institution formed in a particular customary law community with jurisdiction and rights to property within the customary law Area, and has the right and authority to regulate, manage and solve various problems of village life related to customs and customary law in force.

Existentialists reject existentialism as a system or school of philosophy. Instead, they prefer to call existentialism a philosophical attitude or approach to reality, especially human reality. To understand man, according to Kierkegaard, we must observe man in everyday reality, observing man as he appears and manifests himself as a phenomenon, and not by reducing him to abstractions.

Kierkegaard held the view that the whole reality of existence can only be subjectively experienced by man and presupposed that truth is individual existence. Kierkegaard also had the thought that human existence is not static but constantly changing. This means that man always moves from the possibility of being to becoming a reality. Through this process, man gains the freedom to develop a desire that he has for himself.

## V. RESEARCH METHODOLOGY

The approach used in this study is a descriptive-qualitative approach. The reasons for the use of a descriptive-qualitative approach with a view to explaining and revealing the facts that occur in society. This research was conducted in Soba Village, Amarasi Barat Sub-District, Kupang-NTT Regency. The reason for choosing the location is that Soba Village is one of the villages that have traditional institutions, but in line with global development, the existence of traditional institutions in the community has faded.

### Population and Sample

The subject of research is a source of data that can provide information in accordance with the needs of research. Moleong (2010: 132) describes the research subjects as informants, which means that people in 24 research settings are used to provide information about the situation and conditions of the research background. So to get the right data, it is necessary to determine the informant who has the competence and is in accordance with the needs of the data. Based on this understanding, the researcher describes that the subjects of this study are: (1) village head; (2) traditional leaders or community leaders; and (3) Soba village community.

### 3.2 Data and Sources of Data

Data collection in this study uses data mining methods to obtain the required data through primary and secondary data. Primary data consists of observation (a data collection technique that requires researchers to observe things related to space, place, actors, activities, objects, time, events, goals, and feelings). Observations were conducted by researchers to observe community empowerment conducted by the people of Soba Village and interviews (this study uses the in-depth interview method because it requires confidential data). The informant interviewed is a person who is considered to be able to testify in this case. Secondary data is data related to the research subjects as supporting data. This secondary data was obtained through the study of literature and documents that discuss the research objects. Supporting documents in the form of books, magazines, newspapers, journals, papers, photographs, and letters that have been discuss and review related to the object of research. This is done to support the primary data that has been obtained in the field. Data analysis techniques used in this research use qualitative analysis. The process of data analysis in this qualitative research begins by examining all the data that has been obtained in the form of interviews, documentation, and data from field observations. Data analysis is done before the compiler plunges into the field and writes the research results. Data that has been collected in the form of interviews, documentation, and observations will be displayed and categorized to discuss and dissect related problems that have been formed. Furthermore, the data were selected based on the categorization made to explain the targets to be achieved by the community in carrying out empowerment by utilizing village funds. Finally, by utilizing the theoretical tools that have been built, the analysis is then narrowed to draw conclusions that are expected to be able to answer the problems in this study.

### 3.3 Theoretical framework

Theory in scientific research has a function as an analysis knife that can help researchers explore and study various kinds of social phenomena in society. Therefore, the existence of a theory in a scientific study becomes very necessary. In this study, researchers used the theory of existence of Soren Kierkegaard. Existentialism is etymologically derived from the word existence, from the Latin *exister*, which means to appear, exist, arise, or choose actual existence. As for existentialism itself, it is a philosophical movement that opposes essentialism, the center of attention of which is the human situation. Existentialism is a very influential understanding in the modern century. This understanding will help people realize the importance of self-awareness, where man is made aware of his existence on Earth. The view that existence is not the object of abstract thought or cognitive experiences (intellect), but is the existence or direct experience that is personal and in the mind of the individual. Some characteristics of existentialism, including:

- a. The main motive is the way humans exist; only humans exist. Existence is man's way of being, and the center of attention is on man because it is humanistic.

- b. Existence must be interpreted dynamically. Existence means actively creating itself. To exist is to do, to be, to plan. Every moment, man becomes more or less than he really is.
- c. In the philosophy of existentialism, man is seen as open. Man is an unfinished reality that remains to be formed. In reality, man is bound to the world around him, especially to human beings.
- d. The philosophy of existentialism puts pressure on concrete experience—existential experience.

Kierkegaard held the view that the whole reality of existence can only be subjectively experienced by man and presupposed that truth is individual existence. Kierkegaard also had the thought that human existence is not static but constantly changing. This means that man always moves from the possibility of being to becoming a reality. Through this process, man gains the freedom to develop a desire that he has for himself. Human existence occurs because of freedom, and conversely, freedom arises because of the actions that humans take. According to Kierkegaard, existence is a courageous decision taken by humans to determine their lives and accept the consequences that humans have taken. If man does not have the courage to do so, then man exists in truth. Thus, existence, according to Kierkegaard, is a very appropriate theory as a knife of analysis in studying the existence of indigenous institutions in people's lives. Because the experience of human life in carrying out culture and customs traditions is not limited to a formal institution that is formed, the existence of customary institutions has become the experience of every cultured society.

#### IV. RESULTS AND DISCUSSION

##### The History of Soba Village

The history of the formation of Soba village is inseparable from the presence of the Amarasi Kingdom as the center of government at that time. Strong support also came from the surrounding villages as one of the pillars supporting the establishment of a local government. One of the villages that played a big role in the Amarasi Kingdom was Soba village.

Briefly, it is told that at the beginning of the establishment of the Amarasi Kingdom on the mainland of Western Timor, the name of Soba village did not exist and was not known at all. According to the traditional elders in Soba village, at that time only small villages were inhabited by residents under the government of the Amarasi Kingdom. The oldest villages in the province are Kuantu'o village and Kaijo'o village. While the names of other villages exist, one of them is kampong Soba which means "try" or "experiment". Because it is based on a story about two women who try to drink bitter or hot water that can make the person who drinks it die, or in the local language called "*maput neon, marara neon*". After a third attempt, and they did not die, they settled down and built a village in the area, and then on the oath of the woman, who drank the water, the village they founded was called Soba village, and the spring was called *Oeki'u*.

Soba at that time was a village that had its own local government (autonomous region) under the leadership of fetors who lived in the *Sonaf Bubuk* area. The greatest sacrifice and priceless gift given by Soba village to the Government of Amarasi Kingdom at that time was the sacrifice of *Meo Naek* in the Kolbano War, which was named Boy Kapitan. For that service, the Amarasi Kingdom still maintains the status of Soba village as an autonomous village and continues to use the Soa name as an identity until now.

##### The Existence of Indigenous Institution

As stated by E. B. Taylor, culture is a complex that includes knowledge, beliefs, arts, laws, customs, and other abilities and habits acquired by humans as members of society. The social life of the Soba village community is very thick and close to cultural practices and traditions, making Soba village unique.

This shows that, human life, both as an individual being and as a social being is inseparable, since the existence of these two elements is what brings life. Culture and human beings blend together in a single social and cultural unit that then forms society. In a close relationship, as a system that always adapts to one another, culture and society will always strive to be a balanced ecosystem, becoming universal values.

In line with the opinion of E. B. Taylor, the theory of existence by Kierkegaard says that existence is not the object of thinking abstractly or being limited to cognitive experience, but is an experience that is directly experience by each person. Thus, the meaning and value of each tradition that exists in the midst of people's lives experience turmoil when the existence of individuals and communities is at great challenge due to the development of the world that presents developments in technological innovation and knowledge. It also permeates the lives of people in Soba village.

Traditional institutions in Soba village have never been formed in the order of government in Soba village, but every habit of carrying out traditional customs is always based on verbal cultural references or through the speech of traditional elders. On the other hand, culture in its development is experiencing difficulties due to global developments that offer everything to be more effective and efficient, resulting in culture and traditions in society being only well understood by parents.

Looking at the socio-cultural conditions of people who continue to practice oral tradition, we know that oral tradition is a tradition associated with habits and using oral language to convey daily experiences. Kuntowijoyo, or oral tradition, is a historical source that records the past of human society and is still preserved through the implementation of traditional customs, through daily behavior, or conveyed through stories or fairy tales. This is one of the tasks of the existence of indigenous institutions (Indigenous leaders and community leaders) in the middle of the lives of Indigenous people.

Furthermore, in demonstrating its existence, the preservation effort is fully carried out by the village government, supported by traditional leaders established in each hamlet. This shows that although traditional institutions as an umbrella for Indigenous people have not been established, the task has been carried out in cultural life.

The cultural life of the Soba village community without the auspices of traditional institutions has been running well, as evidenced by the involvement of traditional figures in every activity or traditional event, both in government, church, and traditional marriage, so that it is in accordance with the common consensus and does not eliminate the meaning and value of each tradition. It is a challenge in the preservation of culture and tradition, namely socialization and cadre efforts for the younger generation, who have not received more attention from the village government and the village community. In fact, in an effort to preserve culture, the younger generation is a human resource in village development, even as individuals who play an important role in protecting and maintaining the culture that has been inherited.

Various efforts can be made as a form of effort to preserve and maintain the culture that exists in people's lives so that it can develop into an identity and icon and can protect traditions that have been inherited by ancestors. Cultural life in Buckwheat society has its own challenges in the face of modern development. Despite the socio-cultural frictions that always exist in the cultural life of the Soba village community, such as the waning habit of weaving for women and the absence of a formal umbrella of customary institutions that are important media in channeling aspirations in carrying out life as an Indigenous community, the Soba village community, when carrying out traditional culture and traditions, still attaches importance to the existence of the traditional institutions themselves, namely traditional leaders and community leaders who understand holistically about culture and village government so that the implementation of culture and customs traditions can run without violating the rules. Thus, when traced further, it appears that the existence of traditional institutions is clearly visible in the presence and important role of traditional leaders and community leaders in matters of marriage customs and in solving problems in society.

Another thing highlighted by the traditional leaders above is the appreciation given by the community to the traditional leaders for carrying out the customary marriage process. This shows that although institutionally there is no traditional institution, the appreciation for people who hold positions as traditional leaders is very extraordinary. The form of appreciation given by the community to traditional institutions, in this case the traditional leaders, is not seen in the value or amount of money but rather in the meaning contained in the award. The position of traditional leaders in the course of traditional traditions cannot be replaced by the government because, in the Soba village community, the village government and traditional institutions (traditional leaders) have their respective roles and are not interchangeable.

Under the condition that the legal umbrella for customary institutions that have not been officially established exists, the duties and functions of customary institutions must, of course, still be carried out by the village government, as stated in Article 15 paragraphs 1 and 2 of Village Government Regulation No. 72 of 2005 on Village Point 13. The village head has an obligation to foster, protect, and preserves socio-cultural values and customs. Therefore, village governments and traditional institutions, namely traditional leaders and community leaders, behave intelligently when working together to foster, protect, and preserve the culture and traditions of the community. The collaboration will eventually produce a great power that will be seen in the preservation of local wisdom so that it can be introduced to the outside world.

### **The role of Indigenous institutions in community life**

Indigenous institutions have a very crucial role in the lives of indigenous peoples because the duties, functions, and roles of indigenous institutions are closely attached to every aspect of life.

#### **A. As a mediator in conflict resolution**

Since the early establishment of Soba village, Soba village has been privileged as an autonomous village and an indigenous village that can organize its own government wheel and is not centralized in the Amarasi Kingdom. In line with the uniqueness of the Soba village, there has been an awareness of the importance of local wisdom, which is directly related to the system of solving problems in the community based on customary law. This awareness is supported by the government through legislation and ministerial regulations that encourage the role and function of traditional institutions in the village to be reactivated, one of which is as a medium for solving problems or conflicts between citizens.

Though the customary institution has not been established legally or formally, its roles have been carried out by each traditional leader appointed and entrusted to head each hamlet. So that every Indigenous leader is authorized to take care of and resolve problems or internal conflicts among citizens related to land issues, land boundaries, and the destruction of gardens by other people's livestock. Based on this statement, it can be seen that traditional leaders are the closest government institutions to the community. Because according to its role and function, the traditional institution (traditional figures) is a reservoir and channel of opinions or aspirations of the community to the village government and the village headman and resolve disputes concerning customary law, customs, and habits of the community. Although in the process of solving the problem, the village government (RT, RW, and Dusun) is the authority in decision-making. It is a common thought that if an indigenous institution has been formed; the two institutions must work together in making decisions on every issue so that the community really feels the strength and support of both the village government and indigenous institution.

It is important to note that the reality that occurs in the field is that problem solving by indigenous institutions is more appropriate and effective because this institution is born from an agreement on shared values that live and are lived by the community for generations. Thus, the principle of upholding family value and peace or harmony is priority elements in the lives of the people in Soba village.

#### **B. As a medium for the preservation and development of customs**

Based on the role and function of the second indigenous institution, empowerment is the preservation of customs and habits of the community in order to enrich the culture of the community and empower the community to support the implementation of village and village governance, including the implementation of community development. The role is very much in line with and as a form of support to improve the performance of village government.

As an institution in preserving culture and customs in the context of rural communities, as explained in the previous section, institutionally there is no formal umbrella, but these roles have been carried out by each traditional leader who heads each hamlet, of course with the support of the village government.

Traditional institutions play a very important role in the preservation and development of culture and customs traditions among the people of Soba village. It is unfortunate that officially, the traditional institutions have not been established and established juridical, so the role that should be carried out by the traditional institutions must be taken over by the village government. Apart from that, many things can be an obstacle to the preservation of culture and tradition, one of which is the lack of understanding of the community. The process or stages must be explored when carrying out traditional traditions, especially traditional marriage.

Maintaining, preserving, and developing indigenous culture or traditions is not an easy matter because there are many challenges that must be faced by Indigenous leaders. Traditional institutions, although institutional, do not yet exist, but their roles in preserving traditions and culture have been carried out since the first. The position of traditional leaders in the implementation of tradition is a position that cannot be replaced by other parties other than the traditional leaders, who cannot be represented. All

rules that run must go through the agreement of traditional leaders who have been outlined for generations. So it is a common concern that the customary institution, which consists of Indigenous leaders and community leaders, is a traditional umbrella that is needed by Indigenous people. Thus, the preservation of culture and traditions can run in accordance with the traditions inherited by ancestors. The existence of indigenous institutions is a crucial situation in Indigenous communities, so that order can be created because we cannot deny that cultural preservation is an aspect that is closely attached to the life of the community whose life guidelines still adhere to the values of propriety, habits, and customs.

## VI. CONCLUSIONS

Despite indigenous institutions do not exist formally, all of the functions associated with the bodies of adat institutions have been carried out by customary leaders and community leaders with the cooperation of the village government. This is in line with the theory of existence, whose emphasis on the direct experience of each individual is what determines his existence in the life of society.

The role of indigenous institutions in cultural preservation and as a media in conflict resolution is an important role of indigenous institutions (customary and community leaders), because as an indigenous community, conflict or problem resolution through indigenous institutions is more familial and effective to do. Apart from that, people's lives are more closely attached to traditional leaders; the community runs in accordance with community values that are inherited and interpreted as hereditary traditions as oral traditions through behavioral attitudes and the implementation of customs traditions.

Although global developments permeate the corners of the pulse of Indonesia, the defense of cultural values and traditions is maintained so as not to erode in the current circle of World Development. Cultural life and traditional customs in the community in the village of Soba are always alive and lived by every community. Although the development in terms of culture is still relative slow, but the roots of tradition are still being implemented.

Seeing the crucial presence of institutions in formal institutions and legal entities, it is expected that the Soba village government has a duty to establish and legitimize the existence of traditional institutions in people's lives. Continue to synergize with Indigenous leaders in the community in preserving culture and traditions and in conflict resolution so as to create the regularity of Indigenous people's lives based on cultural values that are rich in local wisdom. Although global developments are so strongly attracting us, culture and tradition are like blood flowing in our veins. As far as our feet run, the customs of our ancestors will follow us. Thus, the people of Soba village should feel proud of their culture and are obliged to preserve it through their daily attitudes and behaviors.

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