

## **The Role of Local Wisdom in the Governance of Nunkurus Village**

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### **Abstract**

This research, entitled "The Role of Local Wisdom in the Governance of Nunkurus Village," addresses the issue of how local wisdom influences the governance of Nunkurus Village. The objective of this study is to ascertain the role of local wisdom in the governance of the village. The research employs an empirical legal study approach, utilizing both primary and secondary data sources. Data collection techniques include document studies and interviews, with data analysis conducted through descriptive qualitative methods. The findings reveal that local wisdom plays a dual role: for the community, it functions as an unwritten rule or law, while for the village government, it acts as a social norm regulating community behavior concerning livestock, and as a sociological/anthropological legal source in the formation of village regulations.

**Keywords:** Local Wisdom, Governance

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## **I. Background of the Problem**

A village, or its equivalent designation, represents a community residing within a specific rural area, possessing the authority to manage and govern its own affairs based on traditional origins and customs recognized by the state<sup>1</sup>. Rural communities exhibit diverse cultural practices and traditions that are upheld within family life and communal, national, and state interactions. One such cultural practice prevalent among rural communities is the familial attitude toward communal living, which includes mutual assistance, cooperation in development projects, and collective efforts to maintain village security and order. The method employed by villagers to maintain environmental security and order involves the separation of livestock from cultivated plants, such as rice, corn, vegetables, oranges, mangoes, bananas, watermelons, cucumbers, melons, tubers, and legumes. This separation aims to safeguard the cultivated plants from potential harm that could disrupt their growth and development, thereby ensuring their yield and economic value, which in turn supports the villagers' needs for clothing, food, and shelter.

Culture represents the intellectual and creative achievements of humanity, encompassing ideas, emotions, and intentions. Culture is protected under the 1945 Constitution of the Republic of Indonesia, as specified in Article 32, which states:

1. The State shall advance Indonesian national culture within the context of global civilization by ensuring the freedom of the people to preserve and develop their cultural values.
2. The State shall respect and preserve regional languages as a national cultural asset.

In the context of implementing such cultural values, one notable practice in the community of Nunkurus Village is the separation of livestock from cultivated plants, whether in residential yards or in fields and farms. This practice is continuously maintained and developed by every family member and community resident, contributing to an

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<sup>1</sup> Erni Irawati, Peningkatan Kapasitas Desa Berdasarkan Pada Undang-Undang Nomor 6 Tahun 2014, Jurnal Inovasi Penelitian, Vol.2 No.2 Juli 2021, h.635).

environment that is beautiful, safe, perpetually green, and aesthetically pleasing. This cultural practice, as described, is essential to be taught and preserved. developed from one generation to the next to gain recognition from the local community within the village or from other village communities within the Unitary State of the Republic of Indonesia.

In line with the transition from a traditional society to a modern society that is increasingly digital and reliant on technology, as opposed to the traditional society that depended solely on human or animal labor, the cultural practices of the Nunkurus village community, as previously described, have diminished and are even at risk of being forgotten or lost. Despite this reality, the Nunkurus village community continues to uphold the cultural practice of separating residential areas from agricultural and livestock grazing areas.

The purpose of introducing the culture of the Nunkurus village community to others, which provides benefits or advantages for themselves or others, includes the culture of ensuring security for residential and agricultural areas by separating grazing land from residential and agricultural areas. This practice is a form of local wisdom inherent to the community, including the Nunkurus village community, which is the subject of research in this writing.

## **II. Research Method**

### **a. Type of Research**

The type of research employed in this study is empirical legal research, which is based on field data or empirical data.

### **b. Data Sources**

The data collected in this study is derived from both primary and secondary sources. Primary data is obtained directly from members of the community in the research location, while secondary data is gathered from legislation, literature, journals, research findings, and scholarly works related to the research problem.

### **c. Data Collection Techniques**

In conducting data collection for this research, the author employed the following techniques: document study and interviews.

### **d. Population, Sample, and Respondents**

The population in this study consists of community members who own rice fields and

livestock, totaling 70 people. Due to the small size of the population, no sampling was conducted in this research. To obtain information or data effectively, it is necessary to interview a number of respondents. Therefore, the respondents in this study amount to 79 people, with the following details:

<b>Head Village Nunkurus</b>	: 1 person
<b>Rice Field Owners</b>	: 45 people
<b>Livestock Owners</b>	: 25 people
<b>Community Leaders</b>	: 4 people
<b>Community Members</b>	: <u>4 people</u>
<b>Total</b>	: 79 people

e. **Data Analysis**

The collected data will be edited, classified, and tabulated, and then analyzed using qualitative descriptive methods to obtain answers to the research problem.

**III. Theoretical Foundation**

As guidance for answer of problem research, our need theory or concept will be related of local wisdom, that is: Legal System Theory and Certainty of law Theory. Lawrence M. Friedman suggests that a legal system in actual operation is a complex organism in which structure, substance, and culture interact<sup>2</sup>. Local wisdom as a part of culture interact will be norm for Nunkurus community in living together with governance of Nunkurus village.

Certainty of law by Peter Mahmud Marzuki that have two meaning by certainty of law that is: first, have general rule which made person knows to do or not to do something; second, secured of for personal from government arbitrariness.<sup>3</sup> Additionally Satjipto Raharjo said that certainty of law have four meaning: first, law is legislation; second, law based on fact; thirth, law have clear formulation; fourth, law can't changed<sup>4</sup>. Furthermore Fernando M. Manullang said that for understand certainty of law it is attention tight

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<sup>2</sup> Lawrence M. Friedman, *The Legal System*, 1975, Russel Sage Foundation, New York, h.16

<sup>3</sup> Peter Mahmud Marzuki dalam Andrias Winarno, dkk . *Kekaburan Norma Dalam Pasal 55 Undang-Undang Nomor 24 Tahun 2011 Badan Penyelenggara Jaminan Sosial*, *Media Juris Jurnal*, volume 4 number 3 2021, Magister hukum, universitas Airlangga, h. 355

<sup>4</sup> *ibid*

relation between law in action and law in book<sup>5</sup>. Based on explained of certainty of law, author have result that certainty of law have clear formulation, have do it, no contradiction and guarantee to duty and right of citizen. Certainty of law theory using for explained existence of local wisdom in Nunkurus Village.

#### IV. Results Research

##### 4.1. Description of Nunkurus Village.

Nunkurus Village, established in 1975, covers an area of 30.10 square kilometers and is a coastal village with a population of 2,358 people, consisting of 1,624 men and 734 women. The village is home to various ethnic groups, including the Timor, Rote, Alor, Sabu, and Flores ethnicities. The predominant religions are Christianity, Catholicism, and Islam, with the population spread across four hamlets: Uel, Padang Beringin, Kakabai, and Laus. The occupations of the Nunkurus village community include the following:

**Table 1**  
**Population Data Based on Occupation**

No.	Occupation	Number of People	Percentage
1	Farmers	704 people	96.97%
2	Civil Servants	13 people	1.79%
3	Retirees	9 people	1.24%
4	Laborers	--	
<b>Total</b>		<b>726 people</b>	<b>100%</b>

*Source: Secondary Data*

The data in the table above shows that farming is the most common occupation among the community, with 704 people engaged in agriculture. This is due to the availability of vast agricultural land spread across the four hamlets in Nunkurus Village. This distribution of agricultural land can be further explained in the following table:

**Table 2**  
**Data on Agricultural Land Area in Nunkurus Village**

No.	Location	Agricultural Land Area (Hectares)	Percentage
1	Uel Hamlet	405 hectares	35.22%
2	Padang Beringin Hamlet	308 hectares	26.78%

<sup>5</sup> ibid

No.	Location	Agricultural Land Area (Hectares)	Percentage
3	Kakabai Hamlet	76 hectares	6.61%
4	Laus Hamlet	361 hectares	31.39%
<b>Total</b>		<b>1,150 hectares</b>	<b>100%</b>

Source: Secondary Data

Based on the agricultural land area detailed in the table above, there are also several types of livestock raised by the community in Nunkurus Village, including buffalo, cattle, horses, goats, pigs, and chickens. In practice, cattle and pigs frequently enter residential and agricultural areas, while buffalo, horses, goats, and chickens rarely enter the fields. If livestock owned by community members are not kept or grazed in secure areas and are found entering agricultural land, the damage to crops or residential areas will be assessed in monetary terms. The owner of the livestock must pay the assessed damage amount in cash to the village government officials and the affected parties, such as the landowners. The compensation for damages is to be paid in cash. If the livestock owner is unable to pay the assessed amount, the livestock will be slaughtered, and the meat will be divided equally between the landowner and the livestock owner.

Certainly! Here is how you might present the information in a table format:

**Table 3**  
**Types of Livestock and the Damage Caused to Crops**

No.	Location	Type of Crops	Level of Damage	Estimated Loss
1	Rice Fields	Rice, vegetables	Moderate damage	Rp. 100,000 - 250,000
2	Rice Fields	Rice, vegetables	Severe damage	Above Rp. 1 million
3	Residential Yards	Bananas, corn, peanuts, cassava, sweet potatoes, flowers	Light to severe damage	Above Rp. 1 million

Source: Primary Data

Here is how you might present the information in a table format:

**Table 4**  
**Compensation Paid by Livestock Owners**

No.	Livestock Owner	Landowner	Amount of Compensation Paid
1	Victor Daniel	Donikson Laisnima	Rp. 5,000,000

No.	Livestock Owner	Landowner	Amount of Compensation Paid
2	Obed Manune	Simon Baunsele	Rp. 5,000,000
3	Durce Nalle	Mateos Brikmar	Rp. 5,000,000
<b>Total</b>			<b>Rp. 15,000,000</b>

Source: Primary Data

Based on the data in the table above, all livestock owners reported that, in general, they are able to pay the compensation amounts incurred by crop owners in cash, as the losses range from Rp. 1,000,000 to Rp. 5,000,000. In an interview conducted on March 11, 2024, Mr. Victor Daniel stated that if a livestock owner is unable to pay the compensation for damage caused to the crops or residential gardens, the livestock responsible for the damage will be slaughtered, and the meat will be divided between the livestock owner and the crop or garden owner.

#### 4.2 Local Wisdom

Local wisdom encompasses high-value policies and deserves to be continuously explored, developed, and preserved as part of social and cultural change. It serves as a guiding principle for communities, embodying cultural values and policy insights. Sedyawati defines local wisdom as cultural norms or values, including all elements of ideas that have implications for technology, health management, and aesthetics.<sup>6</sup> Rosidi describes local wisdom as the cultural ability of local communities to handle the influence of foreign cultures during interactions between these cultures.<sup>7</sup>

Mohammad B. Alveyedo states that local wisdom is a form of local knowledge widely practiced by the community<sup>8</sup>. Furthermore, Kristiyanto, as cited in Triwahyunisih et al., states that local wisdom consists of values that embody wisdom and goodness, passed down through generations, serving as guiding principles for community members<sup>9</sup>. Eko Noer Kristiyanto states that local wisdom is traditional knowledge and perspectives that

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<sup>6</sup> Rinitami Njatriajani, Kearifan Lokal Dalam Perspektif Budaya Kota Semarang, Jurnal Gema Keadilan, Volume 5, Edisi 1 September 2018, h. 18

<sup>7</sup> Ibid, h. 19

<sup>8</sup> Mohammad B. Alveyedo, Tinjauan Hukum Kedudukan Dan Keterlibatan Kearifan Lokal Masyarakat Adat Maluku Berupa Sasi Dalam Pengelolaan Lingkungan Hidup, Jurnal Ilmu Social Dan Pendidikan, vol 6, No.3 Juli 2022, h. 2

<sup>9</sup> Triwahyuningsih, et.al, Penguatan Kearifan lokal Daerah Istimewa Yogyakarta, Jurnal Civic Hukum, vol.8, No. 1 Mei 2023, h. 4

serve as a reference for behavior and are inherited to meet the needs and challenges of a community's life<sup>10</sup>.

Based on the definitions of local wisdom provided above, it can be concluded that local wisdom consists of cultural norms or values that are actively lived, maintained, and preserved within the local community to address the influences of technology and foreign cultures.

Functions of Local Wisdom Acts as a filter and controller against external cultures, Accommodates elements of foreign cultures, Integrates elements of foreign cultures into the native culture, Provides direction for cultural development<sup>11</sup>

#### 4.3 Forms of Local Wisdom in Nunkurus Village

According to La Ode Angga, local wisdom can encompass cultural practices of ethnic groups and national thinking within Indonesian society.<sup>12</sup> Eko Noer Kristiyanto identifies several forms of local wisdom across the Indonesian archipelago, including **Alam Takambang Jadi Guru** (Minangkabau), **Banjar Sari** (Jakarta), **Nyabuk Gunung** (Sunda), **Bersih Desa** (Java), **Hamemayu Hayuning Bawono** (Yogyakarta), **Karah** (Surabaya), **Tri Hita Karana** and **Awig-awig** (Bali), **Kassi Kassi** (Makassar), **Sasi** (Maluku), **Hadak** (Rote-NTT)<sup>13</sup>. Additionally, Eko Noer Kristiyanto states that local wisdom is divided into two forms: social wisdom and ecological wisdom. Social wisdom focuses on the development of social beings to become more wise and judicious, while ecological wisdom serves as a guide for humans to interact wisely with the bio-physical and supernatural environment, viewing humans as an integral part of nature.<sup>14</sup>

Based on an interview with community leader Mr. Jan Oktofianus Bery on March 12, 2024, it was stated that there are three forms of local wisdom practiced by the community in Nunkurus Village:

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<sup>10</sup> Eko Noer Kristiyanto, Kedudukan Kearifan Lokal dan Peranan Masyarakat dalam Penataan ruang Di daerah, Jurnal Rechts Vinding, Vol.6, No. 2, Agustus 2017, h. 5

<sup>11</sup> Ranitami, Op.cit. h. 20

<sup>12</sup> La Ode Angga, Sasi sebagai Kearifan Lokal Dalam Mencegah Menularnya Covid-19 Di Provinsi Maluku, Jurnal Pattimura Magister Law Review, Vol. 1, No. 1, Maret 2021, h. 4

<sup>13</sup> Eko Noer Kristiyanto, Op.cit h. 6

<sup>14</sup> Ibid, h. 6



1. Separation of Livestock from Agricultural Land: Ensuring that livestock do not enter the rice fields.
2. Separation of Livestock from Residential Gardens: Keeping livestock away from residential garden areas.
3. Imposition of Penalties: In the event of damage, a monetary compensation of Rp. 5,000,000 (Five Million Rupiah) is required. If the livestock owner cannot provide cash payment, the livestock will be slaughtered, and the meat will be divided equally between the landowner and the livestock owner.

#### **4.4 The Role of Local Wisdom in the Governance of Nunkurus Village**

The role is defined by WJS Purwadarminta, stating that a role is an action performed by an individual or a group of people in an event.<sup>15</sup> Additionally, Soerjono Soekanto states that a role is an individual's behavior that is important within society as an organization.<sup>16</sup> A different opinion was expressed by Koentjoroningrat, stating that a role is an action performed by an individual in their position when interacting with individuals in other positions.<sup>17</sup>

Based on these definitions, it can be concluded that a role is an action or behavior of a person or individual when interacting with others in a particular event within society. Discussing the role of local wisdom involves understanding its connection with cultural practices in the community and how these practices are maintained in the governance of Nunkurus Village. To preserve local wisdom, Lawrence M. Friedman suggests that *a legal system in actual operation is a complex organism in which structure, substance, and culture interact*.<sup>18</sup> Lawrence M. Friedman states that the legal system in practical operation, involving living beings interacting, consists of three components: structure, substance, and culture. The legal structure is closely related to law enforcement entities such as judges, prosecutors, lawyers, and police. Therefore, it can be said that the legal structure is intricately connected with the judiciary, the public prosecutor's office,

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<sup>15</sup> WJS Purwadarminto, *Kamus Umum Bahasa Indonesia*, 2002, Rineka Cipta, Jakarta, h.751

<sup>16</sup> Soerjono Soekanto, *Sosiologi Suatu Pengantar*, 1990, Rineka Cipta, Jakarta, h. 260

<sup>17</sup> Koentjoroningrat, *Pengantar Ilmu Antropologi*, 1996, Rineka Cipta, Jakarta, h.169

<sup>18</sup> Lawrence M. Friedman, *The Legal System*, 1975, Russel Sage Foundation, New York, h.16

and the police.<sup>19</sup> In relation to local wisdom in Nunkurus Village, the law enforcement body is represented by the local traditional leader. The legal substance refers to the outcomes or products of the legal structure, consisting of norms or regulations, both written and unwritten<sup>20</sup>this includes local wisdom. Legal culture is closely related to the views, opinions, beliefs, customs, values, ways of thinking, and actions of community members concerning the law and various legal phenomena<sup>21</sup>. A well-functioning legal structure will produce ideal legal substance and implement legal norms or substance in a fair, certain, and beneficial manner. A good legal structure and substance can foster a positive legal culture. Conversely, a positive legal culture contributes to shaping an effective legal structure and substance, which in turn upholds the legal norms.<sup>22</sup>

In relation to local wisdom in Nunkurus Village, a well-functioning structure, substance, and culture of local wisdom result in effective enforcement by local leaders who are capable of upholding the essence of local wisdom. This, in turn, fosters a positive community culture and ensures the preservation of local wisdom across generations.

Based on an interview conducted on March 12, 2024, with livestock owners and rice field owners, it was found that local wisdom involving the separation of livestock from rice fields and residential gardens, as well as penalties for livestock owners, is observed and implemented as an unwritten rule by both the government and the community of Nunkurus Village effectively and sustainably.

Additionally, in an interview with the Head of Nunkurus Village, Mr. Ardyzed Nalle, SPd., on March 13, 2024, it was stated that in the administration of governance, the Nunkurus Village Government uses this local wisdom as an unwritten rule regulating the behavior of livestock owners or farming communities. This local wisdom is also used as a source of sociological/anthropological law or material law in the formation of village regulations.

The process of forming village regulations based on local wisdom begins with drafting the regulation, followed by consultations with the Village Consultative Body (BPD) of

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<sup>19</sup> Anajeng Esri Edhi Mahanani, 2019, Rekonstruksi Budaya Hukum dalam Upaya Penegakkan Hukum di Indonesia, Jurnal Yustika, Volume 22 No. 1, Juli 2019, h. 3

<sup>20</sup> ibid

<sup>21</sup> ibid

<sup>22</sup> Ibid, h. 4

Nunkurus to obtain mutual approval. The draft is then socialized to gather community input for refinement. Finally, it is submitted for approval and ratification by the Legal Section of the Kupang Regency Secretariat, to be enacted as a written regulation or binding law applicable to all members of Nunkurus Village.

## **V. Conclusion**

Based on the issues and discussions in the previous chapters, the author concludes that:

The Role of Local Wisdom in the Governance of Nunkurus Village:

1. For the Community: Local wisdom functions as an unwritten rule or law.
2. For the Village Government: It serves as a regulation of behavior for the livestock owners and as a source of sociological/anthropological law or material law in the formation of village regulations.

## **VI. Recommendations**

Besed on result of research above, as recommendations for perfection of this research that is:

- a. Government need recognize toward of local wisdom in village rules, so have imperative for behavior of member community;
- b. For people of Nunkurus village, local wisdom must become legacy which teaching to each other.

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**Legislation**

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