



## Problems of the existence of customary institutions in democratising government in negeri abubu, nusalaut district, central maluku regency

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### ABSTRACT

*Indigenous States in local community governance today cannot be separated from efforts to adjust to the demands of democratisation and the principles of good and right governance. So that the goal of local community governance (Negeri) is the welfare of the Negeri community which has a strong local socio-cultural identity. This study aims to determine the root causes of the duties and functions of the Customary Institution (Saniri Negeri) in the democratisation of government in Negeri Abubu, Nusalaut sub- district, Central Maluku Regency. This type of research is qualitative research with data collection tools are observation, interviews and literature review. Determination of key informants was carried out after observation, then 9 informants were found who represented figures, women, community leaders, Soa heads, Saniri Negeri, religious leaders, youth leaders and the community. Furthermore, the data collected was then analysed qualitatively based on field reality through the following steps: data reduction, data testing and conclusion drawing. The results showed that the role of Saniri Negeri in carrying out the function of capturing the aspirations of the Abubu State Community has not been maximised, this action is evident where there has never been a meeting involving the Community in solving the problems faced by the Community, as well as in the process of aggregating aspirations has not gone well so that the draft State regulations stipulated are only the policies and knowledge of the Saniri Negeri body itself. So that the role of Saniri Negeri and the process of democratisation of government has not gone well.*

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### 1. Introduction

States or villages in Central Maluku Regency are a legacy of local community government organisation (typical of Maluku). This is the same as other customary villages in Indonesia, whose existence is recognised by Law No. 6/2014 on Villages. The general elucidation of Law No. 6/2014 states that: that adat villages are different from villages in general. "Customary

villages, in particular, have a strong customary influence on the local government system, local resource management, and the socio-cultural life of the village community.

Local community governance, which is the heritage of the community from generation to generation, is still maintained and recognised and is still being fought for by the leaders and communities of Adat villages so that it can function to develop the welfare and local socio-cultural identity of the community. The practice of autonomous regional governance and decentralisation is currently a hot topic of discussion, in addition to other issues such as corruption, collusion and nepotism. A look back at the history of the development of autonomy and decentralisation shows that there have been eight changes in legislation related to local government, starting with the issuance of Law No. 1 of 1945 until Law No. 32 of 2004, in just 65 years. This condition shows how complex the problem of regional autonomy is. Of the umpteen laws and regulations made, only Law No. 5 of 1974 issued during President Soeharto's era was able to survive for 24 years, where the Centre dominated the local government system in all aspects.

This condition of continuous changes in laws and regulations shows that the process of Democratisation is almost very difficult to find, where people experience many obstacles in community activities. Related to this, Anggara Sahya (2018) said that the New Public Service concept sees the position of citizens as very important for a democratic government. According to him, the community is the owner of the Government and can act collectively in achieving better common goals, where the needs of society are no longer seen as an aggregation of personal needs, but rather as the result of joint deliberation to find common values and needs. In this era of regional autonomy, we should strive to develop a democratic society, characterised by all people having the same rights, obligations and opportunities for opinion, expression and creativity. Therefore, it is interesting how to place the village in a democratic society, especially in involving the community together with the government and village deliberative institutions in a process of formulating and formulating policies related to the interests of the community.

Therefore, in achieving common goals, collective action is a must. So that the nature of the government that wants to take monopolistic action in the process of formulating policies in the village and then impose its enforcement must be stopped and aimed at a policy that invites, democratic and participatory. On the other hand, the Village Representative Council (BPD) as one of the actors in village policy formulation must be able to influence and interact with all elements of society. According to Susilo et al (2021), social interaction is a dynamic social relationship that is also related to the process of individual relations with individuals, relations between one group and another, and relations between individuals and groups. In the process of making policies at the village level, cooperation and harmonious interaction between the legislative element (BPD), the executive element (Village government) and the community are needed.

In relation to the Village Representative Body (BPD) or better known in Maluku as Saniri Negeri based on Regional Regulation No. 01/2006 of Central Maluku Regency, Saniri Negeri is part of the State Government that takes care of the government of the country (village) and regulates the interests of the local community based on the rights of origin and customs and is recognised and respected in the Indonesian State government system. Negeri Abubu as the research location is a country located in Nusalaut sub-district, Central Maluku Regency, Maluku province. It is a traditional country, with the country's theme being Kakerisa Amapati which means "War Strategy". Travelling to Negeri Abubu from the capital city of Maluku Province, Ambon, and the capital of Central Maluku Regency, Masohi, on Seram Island, can be reached in approximately 2 hours by using sea vehicles in the form of speedboats and ferry boats with a journey time of approximately 5 hours. The total population in Negeri Abubu in 2023 was 635 people of which 329 men and 306 women and until now has been led by 7 village heads (Raja), with 9 Saniri Negeri in each period.

The role of Saniri Negeri in the democratisation of government in Abubu State in this study looks less than optimal where the democratisation process in Abubu State is almost difficult to find in the administration of state government, whereas in this era of regional autonomy there is a great opportunity for state government, Saniri Negeri and the community to develop life democratically. The indications that are phenomena or problems in this study are first; the function and role of Saniri Negeri Abubu in absorbing the aspirations of the community are not going well. Second; the formulation of state policies is only carried out by the government (king) with Saniri Negeri without involving the community so that the policies set are not in accordance with the needs and aspirations of the community.

## **2. Method**

This research was conducted in Negeri Abubu, Nusalaut District, Central Maluku Regency. The determination of this research location is based on the research problems that have been stated previously. The type of research is Qualitative research with data collection tools are observation, interviews and literature review. The determination of key informants was carried out after observation, then 9 informants were found representing women leaders, community leaders, soa heads, Saniri negeri, religious leaders, youth leaders and the community. The next step is to analyse the data qualitatively based on field reality through the following steps: data reduction, data testing and conclusion drawing.

## **3. Analysis and Results**

The role of the Saniri Negeri Customary Institution in Democratising government in Negeri Abubu, Nusalaut sub-district, Central Maluku Regency, as the research problem above, namely how the role of Saniri Negeri in carrying out its duties and functions in fighting for the needs of the people of Negeri Abubu. Strengthening the capacity of Saniri Negeri institutions that are aspirational in the development of the Negeri community requires improving the institutions and members of Saniri Negeri so that they can carry out their duties and functions properly, optimally and responsibly.

### **3.1. The Process of Absorption of Community Aspirations carried out by Saniri Negeri**

Collecting thoughts and opinions from the community is the main task and function of the Saniri Negeri customary institution as an element of legislation at the village level. This process takes place in the form of accommodating all the interests and needs of the community as data or basic material for the development of the country in the development process. This mechanism takes place by finding the aspirations and desires of the community and then fighting for the welfare of the community itself. Therefore, Saniri Negeri as an institution that represents the interests of the community is required to be able to carry out its functions properly, so that the results of its struggle in the welfare of the community can be seen.

In carrying out its function to capture the aspirations of the community, there is a phenomenon where Saniri Negeri Abubu has not been able or maximised in carrying out its duties and functions properly. This action appears where the absence of this institution (Saniri Negeri) conducts meetings involving the community in solving problems that are community needs.

*This real condition is as expressed by Mrs E. Tanamal (female leader) that: "Saniri Negeri Abubu seng (did) never run dong (they) have a maximum task, dong seng never asked katong (us) this community what katong (we) have needs".*

The actions of Saniri Negeri Abubu did not capture the aspirations of the community properly, resulting in the function and role not being carried out, so that the aspirations of the community were not conveyed to the state government. On the one hand, Saniri Negeri performs its function but the aspirations conveyed to the state government are not in accordance with what the community wants. The existence of Saniri Negeri Abubu in a condition that does not perform its function because Saniri does not have the ability to perform the task. This is motivated by selfishness and unwillingness to listen to the aspirations of the community, so

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that the aspirations submitted to the state government are the results of the thoughts of the customary institution. For this reason, it can be seen that the development policy of the country is not in line with the needs of the community.

*This is in line with what was expressed by Mr B. Karuwal (community member) that: "Saniri Negeri who beta see this dong does not understand dong pung duties, dong seng never ask katong what katong need, so dong can convey in meetings with state government staff, because (the reason) dong disaniri negeri ni dong make themselves seng want to hear people pung opinions, so the aspirations of the community ni dong alone ator (manage) akang "*

This was also conveyed by Mr T. Peilouw (head of Soa) that:

*"Badan Saniri Negeri ni dong sadikit sombong lai, dong seng want to hear people's opinions, finally what dong convey at the state meeting is in accordance with what dong knows, finally the development in katong negeri is akang seng mengena ka katong community".*

The existence of the customary institution Saniri Negeri Abubu in carrying out its duties in channelling the aspirations of the community does not go according to the wishes of the community, resulting in community resentment towards the institution, this condition is created because the institution expected to channel aspirations is not in accordance with what is expected. For this reason, the lives of local people are not developed with appropriate development programmes according to their needs.

### **3.2. Aspiration Aggregation Process that will be formulated into Village Regulations by Saniri negeri**

Aspiration aggregation is an effort to follow up on the results of community aspirations to be implemented later, as a form of the duties and functions of the saniri negeri that should be carried out. This process illustrates that there is a steadiness of the customary institution of saniri negeri to convey aspirations in accordance with the wishes and needs of the community. The channeling of aspirations is related to the making of state regulations or related to development programmes within the state itself. So that from the actions of the saniri will emerge policies that are decided and determined in accordance with the needs of the community, considering that Saniri is the spearhead in fighting for the lives of indigenous peoples.

The reality of the life of the people of Negeri Abubu with all the context of the problems faced through the role of Saniri Negeri in carrying out the Aspiration Aggregation process which will be formulated into State Regulations is not yet optimal. This condition occurs as a result of the Saniri Negeri Board in carrying out the task of capturing aspirations has not gone well, so that the draft of the State Regulation is determined only based on the policies and knowledge of the Saniri Negeri Board itself.

The same statement was also expressed by Mrs E. Tanamal (female leader) that:

*"Saniri negeri in Abubu ni what happens is that dong never know what the aspirations of the community are like, dong make iko (follow) dong pung (have) tahu (know) only. Finally, the making of regulations is also only based on what they know what the community needs, without asking what they need".*

This was also conveyed by Mr I.Aunalal (community leader) that:

*"How can the aspirations of the community be fought for as a State Regulation, if the State Saniri Board does not know what the community needs. In the end, what will happen if the regulation does not answer the needs of the people here?"*

### **3.3. The process of formulating draft State/Village Regulations carried out by the State Saniri Council and the State Government**

One of the main tasks of the State Government and the State Saniri Board at the village level is to attempt to formulate draft regulations for the state/village as a form of formal rules. This process aims to establish policies that regulate community life in a village or negeri. These draft regulations are made based on the needs for the realisation of their welfare. This process occurs based on the understanding of the three elements, namely the state government, the state saniri body and the community as a unit in designing state regulations which ultimately become state regulations for the community.

The same thing was also expressed by Mr S. Leleury (Saniri Negeri member) that:

"Katong Saniri Negeri together with government staff prepare a draft of the State Regulation to become a state regulation in accordance with the needs of the community that must be made for the sake and for the welfare of the people here".

The process of drafting the Abubu village/negeri regulation that was determined to be a State Regulation (Perneg) did not run in accordance with democratic principles where the regulation was made only based on the knowledge of the State Government and the State Saniri Board without involving the community and other elements, which had an impact on the State Regulation that could not answer the needs of the community. This fact is in line with what was stated by Mr J. Lalopua (religious figure) that:

"The process of drafting State regulations here is made only by the state government and the state saniri, without involving the community, religious leaders and other elements, which in the end results in the form of State regulations that seng talalu (too) answer the needs of the community here".

This was also conveyed by E. Wattimena (youth leader) that:

*"Saniri and other government staff usually make things themselves. The drafting of regulations is also done by themselves. What you know is that you have already made it. Seng involves the community so that maybe (maybe) dong can give suggestions for input lai (again). Finally, what happens is that the State Regulations that are made touch the needs of the community".*

Determining the draft of a State Regulation is something that is very urgent so that it must be well prepared which has an impact on good results as well. All of this is inseparable from the understanding and cooperation of all elements in the community, so that everyone can give their opinion in making the draft and later the implementation of the regulation can answer all the needs of the community. However, what happened in Negeri Abubu was far different from expectations, where the draft of state regulations was made only by the State Saniri Board and the State Government without involving the community, which had an impact on not fulfilling the wishes of the community.

### **3.4 Process of Interaction (Dialogue) between the Village Government, BPD and the Community**

The dialogue process with the State Government and BPD (Saniri Negeri) and the community is a process of interaction that must be carried out continuously with the intention of creating harmonious cooperation for the progress of the village and community. Social interaction is a dynamic relationship related to the relationship between individuals, the relationship between one group and another group and also the relationship between individuals and one group, because sometimes it is found that a person will be difficult to live in the middle of society if there is no interaction with other individuals (Anggelina Xiao, 2018).

The interaction process that occurs through dialogue between the three elements above is very important because it aims to get a picture and aspirations of the community in order to achieve development goals in the village, namely the welfare of the community itself. The habit of dialogue/communication is very important because through it the community, Saniri Negeri

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and the State Government can find problems that exist in the community and together find solutions to overcome them.

The process in the reality of the people of Abubu State is not going well, and has never been done again. This condition causes development inequality in the country. There does not appear to be any interaction through dialogue between the community, the state saniri and the state government to discuss the problems faced by the local community. This fact was expressed by Mr S. Leleury (saniri member) that:

*"In the past, I used to do biking (for) akang, but only once, where I gathered with the community and talked about the problems facing the country and together I thought akang pung was the way out, but over time it has not been done anymore".*

It appears that the selfishness of the State Government, its staff and the saniri of Abubu State is a major factor in the process of interaction in the form of dialogue between the three main elements. The community was never involved in discussing developments and solving problems in the country. Everything that is done is only based on the thoughts of Saniri and the State Government. This then has an impact on the development process in Abubu State to run not optimally, this condition is inseparable from the State Government and Saniri Negeri feeling they know better and better understand the problems in the State and their solutions by ignoring the community as the main object of the problems that occur, whereas interaction through dialogue with the community to solve the problems faced in Abubu State is very urgent to achieve development goals.

#### 4. Conclusion

Saniri Negeri Abubu, Nusalaut Subdistrict, Central Maluku Regency does not have the function and role as expected to carry out its duties properly, especially in absorbing the aspirations of the community so that it is quite influential on the performance and function of governance in Abubu.. The ability of Human Resources is the most important thing in order to synergise the administration of government in Abubu Country with the State government (king) and the Abubu Country Community, especially in communicating and aggregating the interests of the Community continuously in encouraging Development in Abubu Country. The process of formulating draft regulations is only carried out by the local government and Saniri without involving the community, so the results are far from the expectations of the community. Meanwhile, the process of interaction between the local government, Saniri and the community in reality did not go well and meetings between the three elements were never held again, this situation caused imbalances in the development of the country.

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