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Dear colleague,

Acceptance of the abstract

Thank you for submitting an abstract entitled:

**“Land Resource Engineering Based on Local Wisdom: Development of Nagari-
Based Ecotourism as a Customary Village”**

to be presented at International presentation to International Conferences on Green
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Rilma Novita
General Chair

Land Resource Engineering Based on Local Wisdom: Development of Nagari-Based Ecotourism as Customary Village

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Abstract. Land is the source of life and the basis of culture and civilization. Indigenous peoples cannot be separated from the land, which has supported them for generations, hundreds or even thousands of years. As *khalifatu fi al ardh*, human and indigenous peoples manage their land and natural environment based on their local wisdom. In Minangkabau, the customary community unit is the nagari. However, the socio-political and cultural system of the nagari as a unit of indigenous peoples has been degraded and is threatened with extinction. Whereas the State, through the 1945 Constitution, has recognized and guaranteed the continuity of the customary law community unit in the Negara Kesatuan Republik Indonesia. However, Law 6 of 2014 concerning villages (and traditional villages) which is strengthened by Regional Regulation 7 of 2018 concerning Nagari, has opened up opportunities for Nagari to be reconstructed, re-functionalized and revitalized. In fact, not all nagari can be reconstructed, but the selective use of these opportunities is very relevant to the trend of developing nature and environment-based tourism (eco tourism). This paper analyzes and describes these two aspects and encourages the acceleration of the implementation of policies regarding the nagari as a traditional village simultaneously as a tourist village. That way, the development of nagari and eco-tourism will actually be in line with the principles of conservation, local wisdom, community participation and economic benefits for local indigenous peoples.

Keywords: land resource; local wisdoms; ecotourism; nagari; customary village.

1. Introduction

Land in indigenous peoples or local communities has physical and spiritual relationships, hereditary, since hundreds or even thousands of years. The land is collectively controlled, managed together, and used for the benefit of all community members living today and for generations to come. That seems to be the essence of ulayat lands in Minangkabau, Bali, Dayak, Minahasa, Papua, and others. The wise attitude in managing land and the environment is part of their local wisdom. However, in line with the times, population growth, scientific and technological progress, industrial revolution and so on have given rise to internal and external demands for control of land and other natural and environmental

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areas. All of this has resulted in many disputes over land in Indonesia, especially Minangkabau

Indonesia is a nation that has a rich ethnic plurality, which inhabits an area consisting of 17,000 islands from Aceh to Papua. Each ethnic group has a different language, belief system, and cultural characteristics, especially in terms of land tenure and management. Diversity precedes the will to be allied, *bhinneka* precedes *ika* [1]. It only took 37 years for independence since the awareness of unity (nationalism) was realized. However, after almost 77 years after independence, the beauty of diversity is even more faded. The research objectives relate to (1) the role of the State in protecting indigenous peoples' unity as a distinguishing and enriching element of the diversity of the Unitary State of the Republic of Indonesia (NKRI) to condition the philosophy of *Bhinneka Tunggal Ika* to survive; (2) Minangkabau problems regarding existence as a unitary customary law community based on *nagari* and West Sumatra issues related to limited natural resources; and (3) the development of ecotourism (nature and culture-based tourism) as a prescription for the above problems.

2. Methodology

This paper is the result of research with a qualitative approach with library and field study techniques. The literature approach is carried out for the analysis of policy documents related to the protection of customary lands and customary law communities, including quantitative analysis of related data from the Statistics Indonesia and or the results of previous research, as well as research on tourism and especially ecotourism.

Field studies were conducted at six locations related to the *nagari* government system to reconstruct the *nagari* model as a customary village according to Law Number 6 of 2014 and Regional Regulation Number 7 of 2018. The data supply techniques used were observation, focused group discussion, and in-depth interviews. Informants were determined purposively, namely representatives from traditional stakeholders, *nagari* executives, *ulama*, intellectuals, women, and youth.

3. Result and Discussion

Within the territory of the State of Indonesia, there are approximately 250 *Zelfbesturende landschappen* and *Volksgemeenschappen*, namely people's communities with self-governing landscapes, such as *desa* in Java and Bali, *nagari* in Minangkabau, *dusun* and *marga* in Palembang, and so on (Explanation of the 1945 Constitution). These community units represent ethnic diversity. Data from the Statistics Indonesia shows that the number is much

larger, namely 633 ethnic groups [2]. That is a picture of Indonesia's rich multiculturalism. Therefore, the State is committed to respecting and protecting it, as stated below.

“...These region have an Original composition and therefore can be considered as special region. The Republic of Indonesia respects the position of these special regions and all state regulations concerning these areas will remember the rights of origin of the regions”.

That national commitment is still far from being fulfilled. The dynamics of national political dialectics presents the fact that for 53 years after independence (during the Old Order and New Order) these “special regions” units underwent treatment that led to uniformity in the form and structure of *'desa'* in Java, in accordance with Law 5 1979. Only after reformation period (1998) the policy of decentralization or regional autonomy was spawned and is expected to become the legal protection. The decentralization policy is enshrined in the Law on Regional Government. However, the law has undergone four changes (Law 22/1999, Law 32/2004, Law 23/2014, and Law 11/2020), which indicates a long process of adaptation in managing diversity as wealth. Even though President Joko Widodo also campaigned for the slogan: "Pancasila, NKRI, Bhinneka Tunggal Ika, the 1945 Constitution is fixed!" [3], the concrete 22 years of reform are still far from expectations.

In fact, in addition to policies on local government, there is a Draft Law on Indigenous Peoples (RUU MHA) which has been included in the *Prolegnas* (National Legislation Program) in 2013, 2017, and 2020 but was ratified by other bills such as Law 1/2020 and the revision of the Minerba (Mineral and Coal) Law [4]. There is also Law 6 2014 concerning Villages (and customary villages) and Law 5 2017 concerning the Advancement of Culture. All of these regulations are expected to provide support for the strengthening of indigenous peoples and their local wisdom in managing their nature, land and culture. However, all of this is still problematic because it has not been synergistic with each other, in addition to changes in the structure and socio-cultural system of the community.

An example is the case of *Nagari* in Minangkabau, West Sumatra. The concept of “nagari” culturally refers to a community with a membership of several thousand people, which is the highest socio-political and territorial unit. *Nagari* are governed by a *Dewan Penghulu* whose membership consists of the *penghulu* who are both heads and representatives of the tribe or matrilineal. Each *nagari* is autonomous. Even though since the 14th century there has been a king who ruled in Pagaruyung, he only acts as a unifying symbol of the Minangkabau nature [6]. Therefore, the socio-political structure of Minangkabau is identical to the "polis or city-state" system of government in Ancient Greece

[7]. Each nagari acts like mini republics independent of each other from federal power. Thus, a nagari has three characteristics, namely a small republic that is autonomous, democratic, and decentralized.

The existence of the nagari has suffered external intervention for approximately 200 years, namely since the 1820s when the Dutch colonial government officially gained access to intervene in the Padri War [8], [9]. The second intervention took place immediately after Indonesia's independence until the New Order era. A significant and systematic intervention was during the Soeharto era (New Order) through Law 5 1979 concerning Village Administration [10]. The intervention in a very long time and across generations has resulted in the Minangkabau society sustaining a socio-cultural transformation that is not ideal. As a result, the current generation barely recognizes their culture anymore and conflicts related to customary land occur due to the diversity of overlapping legal systems, namely the customary law system, Islamic law, and state law. When the tap of decentralization was opened, West Sumatra enthusiastically welcomed the "back to nagari" program. Vel calls this enthusiasm the product of a long and very specific Minangkabau historical process, but he is quite skeptical that the process is working as intended [11]

Minangkabau is a regional and socio-cultural unit. This ethnic group mostly inhabits almost the entire area of West Sumatra. The province is located at 0°54' NL-3°54' SL and 98°36' EL-101°53' EL, with an altitude of 2-1,470 M above sea level. The total area is about 42,297.30 KM² (2.17% of Indonesia's land area) and has no commercial mining materials other than limited coal and cement-making stones. The area is in the Bukit Barisan range, which has a topography of hills and valleys. As a result, only 13% of the land area can be used for agricultural cultivation. In fact, the agricultural sector is the largest contributor to the Gross Regional Domestic Product (GDP) of West Sumatra, which was 20.81% in 1996 and absorbed around 50% of the workforce [12]. This condition is a threat to poverty for the local community

They anticipate the limited availability of land and agricultural land as well as population density by expanding to new areas, and when there is no longer vacant land suitable for habitation because other people have occupied it, they migrate. All assets, which are immovable and movable, are collectively controlled and inherited matrilineally. For them, the treasure is not to be enjoyed by those who live today but also generations who live in the future until the end of time. Therefore, in the period 2005-2015 there were 218 customary land conflicts. The average conflict each year is 10-20 cases, with a growth rate of 30% [13].

Correspondingly, customary land is considered the main obstacle to investment in West Sumatra.

The problem of ulayat land and its limited carrying capacity for the welfare of the growing population, must find a solution. There are two principal things to do as a form of engineering, namely strengthening the structure and value system of local wisdom and developing nature and culture-based tourism. The first program is important to strengthen Indonesian multiculturalism, in line with the philosophy of *Bhinneka Tunggal Ika*. Meanwhile, the second program is based on the awareness that the limited natural resources of West Sumatra can be overcome by developing ecotourism as a potential economic sector, because it is oriented towards conservation, ecological balance, environmental education, local culture survival (identity, history, heritage), and economic benefits for the local community [14]—[18]. Ecotourism [19] with updated policies [20] can revitalize local indigenous cultures such as in Taiwan [21]. I think it's the best choice.

4. Conclusion

The description above shows that the land issue is related to the customary law community unit that forms the Unitary State of the Republic of Indonesia. The commitment to state recognition and protection is still not concrete. Various problems arise and tend to become obstacles to development. There have been national commitments and policies in the form of laws and regulations, but they are not yet synergistic and comprehensive.

An example is the Minangkabau case. Land issues are related to collective ownership, limited capacity, but regulated by a plural and overlapping legal system. As a result, on the one hand it destroys local wisdom and on the other hand hinders development. An engineering is needed to strengthen its carrying capacity for local wisdom, welfare, and at the same time conservation of nature and the environment. The potential sector that accommodates the three is ecotourism. This is the time to undertake a comprehensive ecotourism policy reconstruction across sectors: political, social, cultural, economic, and environmental. Then, nagari as a customary village as well as tourist village.

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