

Strengthening *Upas*: A Strategy for Building a Cultured Society Based on Local Wisdom in the Era of Disruption

Iromi Ilham^{1,*} Abdullah Akhyar Nasution² Amiruddin Ketaren³ Richa Meliza⁴
Ibrahim Chalid⁵ Ade Ikhsan Kamil⁶

^{1,2,4,5,6} Anthropology Department Faculty of Social and Political Sciences, Universitas Malikussaleh

³ Sociology Department Faculty of Social and Political Sciences, Universitas Malikussaleh

*Corresponding author. Email: iromi.ilham@unimal.ac.id

ABSTRACT

Today, various immoral cases are rampant in society. Drugs, gambling, and various other asocial upheavals, all of which have an impact on the disturbance of public security and order. Among the causes is the unpreparedness of the community on facing the advancement of information technology systems, causing a shift in values in society. The Alas Tribe has its way based on local indigenous in dealing with socio-cultural deviations, namely by strengthening the existence of the traditional police or what is known as *upas*. This study focuses on looking at how its roles and functions are as well as the forms of strengthening that is carried out so that the existence of *Upas* makes a positive contribution to efforts to maintain security and public order. This study was conducted on the Alas Tribe community in Southeast Aceh Regency. This study uses a qualitative approach with data collection techniques of observation, in-depth interviews, and document studies.

The results of the study show that: First, the formation of *Upas* has clear legality, namely based on Law number 44 of 1999 concerning the application of the Privileges of Aceh; Law number 11 of 2006 concerning the Government of Aceh; and Qanun number 9 of 2008 concerning the Guidance of Indigenous Peoples; and Qanun Number 3 of 2004 concerning the Establishment of the Organizational Structure and Work Procedure of the Aceh Customary Council of Aceh Province. Second, the existence of *upas* is very effective in increasing security, peace, and harmony as well as maintaining moral erosion in the socio-cultural life of the community because of the roles and functions carried out as follows: a) securing and preventing customary violations; b) conducting investigations for individuals or groups that threaten harmony, security, and public order; c) detecting early and make efforts to prevent the causes of disturbances in the community; d) giving warnings to the perpetrators wisely, and e) providing counseling and education for the community so as not to violate abstinence and plagues in the community. Third, the form of strengthening in maintaining the existence of *upas* carried out by the government is as follows: 1) a transparent member recruitment system; 2) there is an even distribution of *upas* in each hamlet; 3) Provision of special education and training for *Upas* members, and 4) Provide special incentives for customary judges. *Upas* as one of the local intelligence must be appreciated and preserved so that the nation's generation has cultural narratives that can always be discussed and inherited. The essence of diversity is not to be equated, but to be celebrated together and allowed to live naturally in differences.

Keywords: *Upas*, Cultured Society, Local Wisdom, Era of Disruption

1. INTRODUCTION

Major changes in social order in the era of disruption are inevitable. One indication that marks the era of disruption is the development of the industrial technology revolution which then has an impact on various aspects, ranging from economic, social, cultural, psychological, and political [1]. In addition, innovation is also an important word in understanding this era. The ability to adapt is necessary to survive with the wheels of the times that are rapidly turning. The problem is, when the world becomes more globalized, the contestation of cultural values is also involved in it, which allows various values that are included in local culture that are not following the initial value beliefs that have become references in certain customs. The entry of inappropriate foreign values has implications for the disruption of the social order of the local community. In other words, the biggest challenge in the era of globalization is the clash of socio-cultural values [2]

Of course, the results of an in-depth study by a Japanese political scientist from the United States, Francis Fukuyama, have not been long-lived, who said that the "big shock" in the era of disruption caused changes in family values. The indication is the emergence of the feminist movement which has reduced the position of the family to a nuclear family whose function is only for reproduction. Household division is also an important variable explaining the link between poverty and crime. In addition, major shocks in the economic dimension in which there are two aspects; poverty and wealth. Aspects of poverty, namely the economic crisis and inflation in 1970 in America, then in 1980 there was also a recession and unemployment. Meanwhile, in the aspect of wealth, there was an increase in wealth that started from the government's policy to provide welfare benefits. These

allowances make people lazy to work and ultimately affect the increase in the birth of children out of wedlock. This phenomenon has become an anomaly in the country [3]

Breaking through the line of life and reducing the boundaries of a nation, globalization comes with all the opportunities and threats to society. Globalization removes physical (geographical) and non-physical (values, norms, and culture) barriers and is replaced by a global cultural value system. In the view of modernists, globalization gave birth to cultural homogenization (cultural uniformity). The theory of cultural homogenization explains how the traditional life of local communities is integrated into global life. The thesis of cultural homogenization states that globalization, capitalism, and consumerism will sooner or later lead to the loss of cultural diversity. This thesis emphasizes the concern about the increasing "similarity" of mass culture and assumes the loss of local cultural autonomy because everything is reduced and then integrated into the same system; the global cultural system. One of the threats faced by society is to make the various into uniform. This means that homogenization will have the potential to destroy cultural identity, especially when it imposes uniformity, as well as the fusion of unique local cultures into a global culture that is materialistic and dominant. Meanwhile, opportunities that can be utilized as one of the impacts of globalization are the emergence of collective awareness about living together in differences that are coexistent [4].

Differential cultural construction as a logical consequence of globalization gave birth to a new value order. This means that there will be a shift in values that will lead to a character crisis and moral erosion. Social disintegration is also one of the major contributions of this massive change which ultimately leads to the waning of the sense

of nationhood [1]. The same applies to moral issues in Southeast Aceh. According to Akbar, et al [5] the erosion of moral values in the Alas community today is caused by the Alas people who have forgotten three basic principles in their local wisdom, namely 1) *Tulahan*; misfortune befalls a person as a result of a curse from God for doing something wrong; 2) *Pantang* (Abstinence); Abstinence or prohibition in customs that should not be done; 3) *Kemali*; related to taboo things that should not be done or discussed in society.

The urgency of character education is important in revitalizing local values that are built as a moral fortress. For example, by strengthening spiritual intelligence, which is a fundamental intelligence compared to intellectual intelligence, social intelligence, and emotional intelligence [6]. Fukuyama himself offers a solution to restore the great shock is to conduct moral control through reviving the value of Protestantism. According to him, in various cultural products, humans are rational creatures who make rules [3]. Currently, the Southeast Aceh government has taken a role in efforts to revitalize local values in the agenda of overcoming morals in the social system. Improving the education sector through the school curriculum by presenting cultural narratives so that students are "close" to what was inherited by their ancestors is one of the actions currently being carried out. In addition to the social community (society) must also take a role in increasing social control and promotion of traditional ceremonies at every opportunity [5].

However, if it only relies on efforts to provide cognitive education alone without any accompanying control tools in society, then the resulting output may not be optimal. At this point, it is important to discuss the existence of adat judges as a means of social control at the grassroots level. *Upas* or Customary Police are certified customary

judges under the auspices of the Southeast Aceh Customary Council. Its existence has a function to maintain security, peace, and harmony in the social order. Of course, to ensure the maximum continuity of its function and role, there must be efforts to strengthen the Southeast Aceh government towards the existence of *upas*. This study aims to see how the form of strengthening is carried out by the Southeast Aceh Government so that the existence of *upas* has meaning and function. This becomes important as part of the local strategy used in responding to major changes in the era of disruption.

So far, the existence of certified customary police is known to only exist in Southeast Aceh Regency for the Aceh Province scale. If its existence is considered effective in building a wall of morality in preventing moral erosion, then it can be used as a role model for other regions as a strategy to form a cultured society based on local wisdom. This is also part of the form of recognition and respect for the implementation of Article 18B paragraph 2 of the 1945 Constitution.

2. STUDY METHOD

This study was conducted in the Alas Tribe, Southeast Aceh District. To the author's knowledge, only Aceh Tenggara District currently has certified adat judges for the Aceh Province. This study is descriptive qualitative with data collection techniques that are considered relevant are observation, in-depth interviews, and library research. Observation involves the researcher being present with the research subject to observe the empirical phenomena that exist in the study area. In-depth interviews were conducted to gather information and views from informants regarding the current existence and strengthening of customary judges. The key

informants in this study were the chairman and members of the Southeast Aceh Customary Council, the *pengulu* (village head), and the people of Southeast Aceh. Before the interview was conducted, the researcher prepared some core questions. The in-depth interview aims to reveal things that are not visible in the observations.

In addition, the data for this paper was also collected through a desk review by mapping the literature to obtain secondary data. Therefore, studies of various written sources, such as scientific journal articles, newspapers, and books related to the research topic, are part of the data collection process. After the data is collected through the various data collection techniques above, the data analysis process is carried out through three important stages, namely: data reduction, data categorization, and data presentation or conclusion drawing.

3. UPAS; ROLE AND FUNCTION

Upas or tradisional police or other names of *hakim adat* have certified functional officers formed to increase security, harmony, peace, and harmony in the lives of indigenous peoples in their respective working areas. The existence of *upas* is also to directly support the implementation of law enforcement institutions and customary courts, ceremonial events of customs in *kute* (village), settlements, and provide security for the implementation of traditional events (*mekhadat*) [7].

Establishment of *upas* based on Law number 44 of 1999 concerning the application of the privileges of Aceh; Law number 11 of 2006 concerning the Government of Aceh; and Qanun number 9 of 2008 concerning the Guidance of Indigenous Peoples; and Qanun Number 3 of 2004 concerning the Establishment of the Organizational Structure and Work

Procedure of the Aceh Customary Council of Aceh Province. Especially for the province of Aceh, the revitalization of traditional institutions was initiated back in 1999 since the enactment of Law no. 44 of 1999 concerning the Privileges of Aceh. The implementation of privileges according to article 3 paragraph (2) includes: "1) The implementation of religious life; 2) Implementation of customary life; 3) Education implementation; 4) The role of the ulama in determining regional policies. Then the strengthening of customary institutions buzzed again with the presence of UUPA Number 11 of 2006 which states that the existing customary institutions in Acehnese society must have functioned. In its implementation, the Provincial Government issued qanun No. 9 of 2008 concerning the Guidance of Customary Life and Customs and Qanun No. 10 of 2008 concerning Customary Institutions. The presence of these two qanuns has consequences for the district government to formulate its qanun as the legality of customary administration at the district level [8].

Referring to the Guidelines for Customary Courts and Customary Functional Judges in Tanah Alas written by Akbar, et al [7], the functionaries of customary justice based on Aceh Qanun Number 9 of 2008 and according to the completeness of Alas customary functionaries indicate that the first step of customary justice is carried out by the *pengulu* in *kute*, consisting of: "1) *Pengulu* as chairman of the judiciary concurrently a member; 2) Customary functional judges; 3) *Imam kute* as a member; 4) *Sakhak bekhempat* as a member consisting of traditional leaders, community leaders, religious leaders, and intellectual figures; and 5) *Upas* or Customary Police". Meanwhile, the functionaries of customary courts at the settlement (*kemukiman*) level with their completeness are carried out as

follows: "1) The head of the *Mukim* as chairman and concurrently member; 2) Customary functional judges as special functional officers; 3) Imam of the resident mosque as a member; 4) *Sakhak bekhempat mukim* as a member consisting of traditional leaders, community leaders, religious leaders, and intellectuals; and 5) *Upas* or Customary Police". This shows that the existence of *upas* is important in the cultural context of the Alas community. *Upas* is an important part of the functionaries of customary justice, both at the village and *kemukiman* levels. Its existence is always at the forefront of who is in direct contact with community groups (society).

The roles and functions of *upas* in the socio-cultural order of the Alas people are as follows: First, *upas* functions to protect and prevent violence in indigenous peoples. Cases that are immoral in society, such as drugs, gambling, adultery, sexual harassment, and various cases that fall into the category of minor crimes can be resolved by direct *upas* at the *kute* level. Second, investigate individuals or community groups suspected of disharmony, disturbing social security, and comfort. Third, carry out early detection of things that have the potential to create disturbances in the community. Fourth, give wise warnings to suspects who take actions that can create social shocks in society. And fifth, *Upas* is also obliged to provide consultation and education services for the community regarding things that are allowed to be done and things that are prohibited by custom, including teaching values and basic principles in local wisdom, such as prohibited actions, abstinence, and *kemali*.

4. STRATEGY FOR STRENGTHENING UPAS

In simple terms, reinforcement can be interpreted as an effort, action, or method

taken to encourage the birth of quality improvement. In this context, strengthening the existence of *upas* in Southeast Aceh is part of cultural development. For [9], there are two important strategies in cultural development, namely microscopic and telescopic. Furthermore, Fasya explained, "microscopic means that cultural development must enter the recesses of consciousness and the depths of human life. Likewise telescopic, cultural development must not ignore big things, both at the level of ideology and infrastructure so that the cultural character of the nation becomes the world's attention". This means that the development of national culture must still look at the diversity of local intelligence that we have while remaining not ignorant of the global environment. In this case, the existence of *upas* is part of generating local intelligence owned by the local community as a bulwark of community morality.

For its existence to be achieved properly, there are several strategies carried out by the government as an effort to strengthen the customary judges themselves, including First, the transparent recruitment system for *upas* members. In the recruitment system for *upas* members, the district government issues a circular addressed to the chairman of the Southeast Aceh Customary Council, the Head of the District Apparatus Work Unit (SKPK), the Head of the Regional Vertical Agency, the Head of the Southeast Aceh District, *Imum Mukim* and the *Pengulu* in Southeast Aceh Regency. In recruiting, the *pengulu* (Village Head) is expected to send three people who have a good moral track record from each hamlet to the local sub-district head to be selected and the best one to be submitted to the selection committee. Furthermore, the selected participants were sent to the Southeast Aceh Customary Council to be provided with special education and training. This is to ensure the birth of cadres who have the capability and ability to carry

out the function of customary supervision at the *kute* (village) level.

Second, there is an even distribution of wages. Each hamlet will have one customary judge who will be tasked with ensuring the security of custom in its territory. This is as stated in the Southeast Aceh Regent Regulation Number 44 of 2019 concerning the Establishment of the Organizational Structure, and Work Procedure of the Acehnese Customary Council of Southeast Aceh Regency which states that:

"The number of Upas/Customary Police is by the number of hamlets, as an extension of the Kute Customary Court, which has the authority to settle disputes and violations of moral customs, to impose sanctions and fines for minor customary violations at the scene of the case based on the regulations/fatwa of the Regency MAA concerning technical guidelines for the application of the law, fines, and customary sanctions" [10]

Third, customary judges (*Upas*) are provided with special education and training organized by the Southeast Aceh Customary Council, Police, Police unite of PP/WH, Attorney General's Office, District Court Judges/Syar'iyah Court, Southeast Aceh Certification Customary Judges, special tutors for the implementation of Qanun/Aceh cultural regulations/customs from the Aceh Provincial Customary Council and Southeast Aceh Customary Council and the task of enforcing public security and order from the Aceh regional police units. Fourth, provide special incentives for Southeast Aceh Upas customary judges. They have the right to get incentives every month that comes from regional finances. In addition, the form of strengthening that must be done is to provide a clear legal system, both in

legal substance, legal structure, and legal culture.

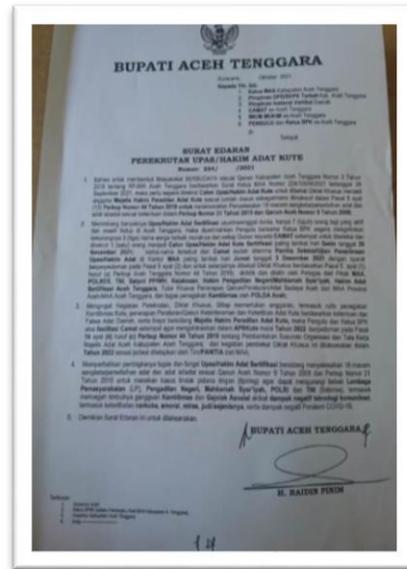


Figure 1. Southeast Aceh Regent's Circular on Recruitment of Upas
Source: Personal Documentation

5. CONCLUSION

Strengthening *upas* or traditional police is one of the strategies carried out by the Southeast Aceh Regency government in maintaining the harmony, security, and stability of indigenous peoples based on local wisdom. The moral fortress must be built with a strong philosophical foundation by covering the cognitive, evaluative, and symbolic dimensions. The Southeast Aceh District Government through the Southeast Aceh Customary Council has created a traditional police force to maintain cultural stability in the community. Its presence is considered important and effective in increasing security, peace, and harmony as well as maintaining moral erosion in the socio-cultural life of the community. To improve the quality of *upas*, the government itself is strengthening it with the following techniques: 1) a transparent recruitment system for *upas* members; 2) there is an even distribution of *upas* in each hamlet; 3)

Customary judges (*upas*) are provided with special education and training; 4) Provide special incentives for customary judges; and 5) giving birth to a clear legal system, both in legal substance, legal structure, and legal culture.

Upas as a form of local intelligence must be appreciated and preserved. Therefore, local governments and traditional leaders should pay more attention to things that can promote local wisdom so that the nation's generation has cultural narratives that can always be discussed and inherited. In essence, diversity is not to be equated, but to be celebrated together and allowed to live naturally in differences. Of course, there are still many shortcomings in this limited study, therefore it is hoped that other researchers who focus on the same issue can continue and develop from what has been done so far.

AUTHORS' CONTRIBUTIONS

Iromi Ilham and Abdullah Akhyar NST have made substantial contributions to the conception, acquisition of data, and analysis of data. Amiruddin Ketaren has been involved in drafting the manuscript. Richa Meliza and Ibrahim Chalid have been revised critically for important intellectual content. And Ade Ikhsan Kamil has given final approval of the version to be published.

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