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# Legal Framework for the Role of Village Officials in Preserving Local Cultural Wisdom Values (Study of Nagori Tongah, Purba District, Simalungun Regency)

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### ABSTRAK

Terdapat berbagai kendala dan hambatan dalam melestarikan budaya lokal, salah satunya adalah kurangnya keterlibatan masyarakat secara maksimal dan terbatasnya infrastruktur pendukung. Penelitian ini bertujuan untuk mengkaji secara mendalam landasan hukum aparatur Desa Nagori Tongah dalam melestarikan budaya lokal, serta membahas secara komprehensif kendala yang dihadapi aparatur Desa Nagori Tongah dalam melestarikan budaya lokal dan kebijakan untuk mengatasinya. Jenis penelitian yang digunakan adalah hukum normatif dengan pendekatan deskriptif analitis, yaitu membahas fenomena dan permasalahan hukum yang ada serta mengujinya berdasarkan peraturan perundang-undangan dan norma hukum. Hasil penelitian ini menunjukkan bahwa landasan hukum Pemerintah Desa Nagori Tongah dalam melestarikan budaya lokal diatur dalam beberapa peraturan, mulai dari UUD 1945, undangundang, peraturan pemerintah, hingga peraturan pemerintah daerah/desa. Kendala yang dihadapi Pemerintah Desa dalam upaya melestarikan budaya lokal antara lain: perubahan nilai sosial dan teknologi, modernisasi ekonomi, minimnya partisipasi masyarakat, serta terbatasnya sumber daya dan infrastruktur pendukung. Untuk mengatasi kendala tersebut, telah dilakukan berbagai kebijakan, antara lain perencanaan dan penataan pelestarian budaya, alokasi dana/anggaran, serta kerja sama dengan pihak terkait dalam promosi budaya.

### ABSTRACT

There are various obstacles and constraints in preserving local culture, one of which is the lack of maximum community involvement and limited supporting infrastructure. This study aims to examine in depth the legal basis of the Nagori Tongah Village apparatus in preserving local culture, as well as to comprehensively discuss the obstacles faced by the Nagori Tongah Village apparatus in preserving local culture and the policies to address them. The type of research used is normative legal with a descriptive-analytical approach, discussing existing legal phenomena and issues and testing them based on laws and regulations as well as legal norms. The results of this study show that the legal basis for the Nagori Tongah Village Administration in preserving local culture is regulated in several regulations, ranging from the 1945 Constitution, laws, government regulations, to local/village government regulations. The obstacles faced by the Village Administration in its efforts to preserve local culture are: changes in social values and technology, economic modernization, minimal community participation, and limited resources and supporting infrastructure. To overcome these obstacles, policies have been implemented, including cultural preservation planning and structuring, fund/budget allocation, and cooperation with relevant parties in cultural promotion.

### 1. INTRODUCTION

Indonesia is a pluralistic nation consisting of thousands of tribes with cultural diversity, making our country very rich in noble values that attract the world's attention. Based on *Webometrics* 2022 data, Indonesia has 1,941 intangible cultural heritage (WBTb) out of a total of 8,065 cultural works. Of these thousands of cultures, from 2008 to 2024, there are at least 15 Indonesian WBTb that have been recognized by UNIECO. The nation's cultural wealth must be preserved and empowered to the maximum to provide positive benefits to the community. The government, starting from the central, regional, and village levels, must make superior

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programs and policies in efforts to preserve local culture, both through tourism, education, and international promotion programs (Kila & Undap, 2023).

The magnitude of the influence of globalization has caused the degradation of local wisdom values in North Sumatra, especially in Simalungun Regency. This cultural decline is generally caused by various factors such as shifting social values and a lack of cultural education for the younger generation. So far, many local wisdom values in Simalungun have been lost to the era, including Martumba Naposo, Acara marsiadap hari, and Mamino.

As an effort to develop tourism potential and preserve culture, the government has created a tourism village program that gives full authority to village communities to manage culture and potential wealth in their area in a sustainable manner (Krisnawati, 2021). Data from the Distribution Map of the Tourism Village Network (Jadesta) of the Ministry of Tourism and Creative Economy (Kemenparekraf) states that in North Sumatra Province, there are 334 Tourism Villages. Toba Somasur Regency has the most with 23 Tourism Villages, followed by Deli Serdang Regency with 14 Tourism Villages.

The Tourism Village program provides enormous positive benefits for the community and the government, ranging from increasing regional income, creating jobs, to being a place to promote the preservation of local culture. Unfortunately, there are still various obstacles and obstacles in the process of developing tourist villages, one of which is the lack of maximum community participation, lack of innovation, and limited supporting infrastructure (Abka & Murdana, 2023).

Village officials are responsible for allocating village funds for cultural preservation activities, making policies and supporting programs, as well as conducting socialization and education (Arafi et al., 2022). Nagori Tongah, through the Simalungun Regency Government, has made policies in an effort to preserve local culture, including: strengthening customary institutions, socialization and cultural education, preserving cultural heritage, organizing cultural events, and improving supporting infrastructure. This support and policy are intended as an effort to preserve culture and provide the widest possible opportunity for the Nagori Tongah community to explore and develop various existing potentials (Fatmasari et al., 2024).

Community involvement in tourism has been formed with the establishment of business units, community groups, and corporations, but government support is still lacking, especially in terms of mentoring and education. In addition, public awareness of environmental cleanliness and sustainability is also still very low. The lack of interest of young people as the next generation in local culture is also a challenge that must be overcome immediately in efforts to preserve culture (Junaid, 2023).

Overcoming various obstacles in the management of tourist villages in Nagori Tongah Simalungun, efforts are needed to increase public awareness and effective supporting policies, as well as strengthen the synergy of village officials with various related parties in the form of sustainable programs and policies for the preservation of local culture (Nahak, 2019).

The focus of this research question is how the legal basis of the Nagori Tongah village administration preserves local culture. What are the obstacles faced by the Nagori Tongah village administration in preserving local culture and the policies to address them? The purpose of this study is to examine in depth the legal basis of the Nagori Tongah village administration in preserving local culture, as well as to comprehensively discuss the obstacles faced by the Nagori Tongah village administration in preserving local culture and the policies to address them.

### 2. RESEARCH METHOD

The research carried out is normative juridical research or research analyzing written law, jurisprudence, and norms living in society. The descriptive-analytical approach aims to take systematic, factual, and accurate data about a problem based on applicable laws and legal norms

and analyze it based on laws and regulations. (Fitrianto & Sembiring, 2024). The data collection technique is carried out through literature research, which is to obtain data by examining literature materials or secondary data which includes primary legal materials, secondary legal materials which can be in the form of laws and regulations, books and works, or other scientific journals or university legal materials in the form of dictionaries, magazines, newspapers, and articles (Indrawan et al., 2019).

### 3. RESULT AND DISCUSSION

# The Juridical Foundation of Nagori Tongah Village Apparatus in Preserving Local Culture

Law Number 6 of 2014 concerning Villages states that the Village Apparatus consists of the Village Head, Village Secretary, and other apparatus who carry out the functions of government, development, and community development, including the preservation of customs and culture. In general, the role of village officials in preserving local culture includes providing guidance, socialization, education, and supervision of the implementation of customs, traditions, and cultural values in the village community (Haerah, 2017). In addition, village officials also play a role in organizing traditional and cultural activities and conducting deliberations with community leaders to maintain cultural sustainability (Heldi Sofyanda, 2019).

Nagori Tongah is one of the village-level administrative areas in Purba District, Simalungun Regency, North Sumatra Province, Indonesia. Nagori Tongah has a postal code of 21165 and an area of about 240 km<sup>2</sup>. This area is located at an altitude of 1,300 meters above sea level and is about 23 km from the capital of Sialungun Regency. In general, the structure of Nagori Tongah Village, Purba District, Simalungun Regency consists of:

- 1) Village Head (Pengulu Nagori)
- 2) The Village Secretariat, led by the Village Secretary, is assisted by:
  - a. Head of Government Section
  - b. Head of Welfare and Service Affairs
  - c. Head of Public Affairs and Planning
  - d. Head of Financial Affairs
- 3) Regional Implementers, consisting of:
  - a. Gamot Huta I
  - b. Gamot Huta II
  - c. Gamot Huta II
  - d. Gamot Huta IV
  - e. Gamot Huta V

That in carrying out their duties, each Head of Affairs and Head of Section can be assisted by staff, taking into account the workload and ability of Village Finance (Wardana, 2016). Each region has regional regulations and village regulations that strengthen the function of the village apparatus in managing local culture, specifically according to the characteristics of the region. This arrangement forms a village apparatus that is adaptive to the needs of local culture, which must refer to national regulations (Zuhri et al., 2024). The following are some of the regulations that are the juridical basis for the village government, especially Nagori Tongah Village, Simalungun Regency, to preserve local culture, including:

### 1. Constitution 1945

Article 32, Paragraph (1) of the 1945 Constitution states that the state advances national culture amid world civilization by guaranteeing the freedom of the community in maintaining and developing its cultural values.

- 2. Law Number 5 of 2017 concerning the Promotion of Culture
  - The state is tasked with advancing national culture, including local culture, by guaranteeing freedom of expression, cultural protection, and increasing community participation in cultural preservation. Article 24, the Central Government and Regional Governments are obliged to maintain the object of cultural advancement, which includes maintaining the value of nobility and wisdom, as well as passing on culture to the next generation.
- 3. Law Number 6 of 2014 concerning Villages
  Article 26, Paragraph (4), one of the obligations of the Village Head is to foster and preserve the socio-cultural values of the Village community. Article 103 regulates Customary Villages that are given the authority to preserve local socio-cultural values.
- 4. Regulation of the Minister of Education and Culture of the Republic of Indonesia Number 10 of 2014 concerning Guidelines for the Preservation of Traditions

  This provision is a reference for village officials in preserving local culture by providing systematic guidance for the preservation of traditions, including: protection, development, and utilization of traditions as cultural wealth for generations by the government from the Central, Regional, and Village levels to carry out the function of cultural preservation, as well as instilling traditional values and national character to the community.
- 5. Simalungun Regency Regional Regulation Number 20 of 2000 concerning Empowerment, Preservation, and Development of Customs and Customary Institutions in Simalungun Regency
  It is the legal basis for village officials to plan, organize, and implement cultural preservation in village governance that integrates cultural values, so that local culture is not only symbolically preserved but also an active part of village community development. Article 2-Article 8 expressly recognizes Nagori (customary village) as a unit of customary law communities that has the authority to regulate and manage the interests of local communities based on the rights of origin and customs recognized in the national government system.
- 6. Nagori Tongah Village Regulation Number: 5 of 2023 Concerning Nagori Tourism This regulation governs the development, management, and empowerment of tourism potential in Nagori as part of efforts to improve the local economy. It regulates tourism management efforts, infrastructure improvements, human resource development, and cleanliness management with special fees as part of tourism funding. The aim is to increase the attractiveness of tourist attractions and the welfare of the Nagori community through the independent management of local economic potential.

The role of the Nagori Tongah Village Administration in preserving local culture includes actively providing guidance, education, socialization, and organizing cultural preservation activities. A legal basis is very important for village administrations in preserving local culture because it provides legitimacy and legal certainty in developing and managing local culture sustainably. Legal foundations also provide a clear framework for village officials to provide

protection and empowerment for indigenous communities through formal regulations recognized by the state. (Rokilah, 2020).

# Obstacles of Nagori Tongah Village Apparatus in Preserving Local Culture and Its Handling Policy

The decline of local wisdom in North Sumatra, especially in Simalungun, is caused by various factors such as modernization, shifting social values, and a lack of cultural education for the younger generation (Fransiska, 2024). So far, many local wisdom values in Simalungun have been lost to time, including: Martumba Naposo, Marsiadap Hari Event, and Mamino. Martumba Naposo is a gathering of young people from nearby villages/remote areas, which is used as a means of introduction between young people from several villages while discussing some interesting things and dancing to music.

The Nagori Tongah Village Apparatus functions as a manager of the village government as well as a protector and implementer of customs that are the roots of community culture, ensuring that the preservation of local culture is maintained in the dynamics of development and modernization (Salsa et al., 2024). Based on interviews with several Nagori Tongah Village Officials, Purba District, Simalungun Regency, in August 2025, there are some obstacles faced in efforts to preserve local culture, such as globalization, which results in reduced public interest, lack of government support, limited resources in preserving local culture, and budget limitations.

This obstacle has an impact on limited performance in conducting coaching, education, and socialization effectively. The following is an explanation of the obstacles and obstacles in cultural preservation programs:

1. Changes in Social Values and Technological Developments

Cultural traditions and rituals such as Turahan (Gotong Royong) in building the Bolon House, which used to be very sacred and required the involvement of many people and a strong belief in ancestral relics, are now experiencing a decline in interest and knowledge in the community. This is related to the development of the times and technological advances in the construction of traditional houses, which have resulted in a reduction in the need to implement traditional rituals. Construction technology has developed very rapidly and has facilitated the work of building traditional houses; thus, the tradition of cooperation to build traditional houses is increasingly eroded. The ritual function has shifted not to a necessity, but to an entertainment that obscures the spiritual essence of the original culture (Sibarani, 2024).

### 2. Lack of Public Awareness and Participation

Lifestyle changes and modernization have caused the younger generation to be less interested in learning about the local culture in depth. Local culture is considered uncool and less in demand by the younger generation, who are more inclined to idolize popular culture. Low community participation and the interest of the younger generation in ancestral heritage are a big challenge in maintaining cultural sustainability, especially in Simalungun Regency (Handayani, 2024).

### 3. Limited Resources and Infrastructure

The lack of availability of supporting facilities and facilities for cultural preservation and village development activities has resulted in cultural preservation programs and activities not running optimally. In addition, budget constraints are also one of the main factors for the Nagori Tongah Village Apparatus in preserving culture, because every cultural activity or event, such as the annual work festival, requires a large enough

budget to execute, while the existing village budget is very limited (Hidayat et al., 2025).

### 4. Economic Modernization

The economic change from a traditional agrarian base to a service and trade economy changed the lifestyle of the Nagori Tongah people. This shift has an impact on the erosion of local cultural values as new economic activities shift the focus of society from cultural traditions to more pragmatic and market-oriented activities. Economic modernization is a challenge in maintaining cultural traditions in the midst of modern and commercial developments (Sari, 2023).

### 5. Lack of promotional support at the national level

The government, especially at the central level, has not provided enough space or opportunities for traditional arts to appear in various major national events. The Central Government does not provide space for regions in North Sumatra in the promotion of culture, both national and international events. Although there are efforts such as the Nogari festival, Kerja Tahun, and Rondang Bintang that feature cultural works, in general, the preservation of Nagori Tongah's local culture has not received full support (Hutabarat et al., 2024).

Article 1 of Law -Law Number: 6 of 2014 as amended by Law Number 3 of 2024 concerning Villages, states that a village is a legal community unit that has territorial boundaries and the authority to regulate and manage government affairs and the interests of the local community based on community initiative, original rights, and/or traditional rights that are recognized and respected in the government system of the Unitary State of the Republic of Indonesia. The theory of village autonomy emphasizes that villages as community units have the right to regulate and manage their own affairs in accordance with the origins and norms that apply in their region. Subsidiarity affirms that matters that can be resolved at a lower level (village) do not need to be taken over by higher levels of government, so that villages have the autonomous authority to preserve local values. (Musung, 2018).

As an effort to preserve local culture as well as an effort to overcome the various obstacles and challenges above, the policies carried out by the Nagori Tongah Village Apparatus of Simalungun Regency include:

## 1. Planning and Arrangement of Cultural Preservation

The Nagori Tongah Village Apparatus plans and organizes the preservation of cultural and customs wisely and responsibly. This planning includes the development of policies to effectively protect, develop, and empower local cultural traditions.

### 2. Enhancing Community Empowerment and Participation

The Nagori Tongah Village Apparatus policy encourages and develops community participation in the preservation of culture and customs. The village apparatus facilitates residents to participate in cultural activities such as art performances, annual work, training, and cultural institutional capacity building.

### 3. Budget Allocation and Facilities

Amid budget limitations, Nagori Tongah Village continues to provide adequate funds and facilities to support local cultural preservation programs, especially for art activities, festivals, and the development of cultural facilities infrastructure.

### 4. Cultural Protection

The Nagori Tongah Village Apparatus makes efforts to protect, foster, and continuously supervise cultural preservation so that it remains alive and developing. In addition, the

Nagori Tongah Village apparatus organizes activities to introduce and teach local culture to the wider community, including cultural education through the community, traditional art performances to attract the interest of the younger generation, and tourists.

### 5. Managing cultural and traditional activities

The Nagori Tongah Village apparatus actively assists and implements cultural activities such as cultural festivals, annual work, star rounds, and other activities that are the development of local cultural values as part of community life, with the aim of continuing to revive the ancestral cultural heritage.

## 6. Collaborating with Related Parties in Cultural Promotion

The Nagaori Tongah Village Apparatus also collaborates with various stakeholders and other related parties in holding a routine agenda in the form of cultural festivals, as well as tourism events in Simalungun to promote local culture. With this tourism agenda, it is hoped that it can introduce local wisdom widely and provide economic benefits for the local community.

In addition, Nagori Tonga Village, through the Simalungun Regency Government, also built a creative industry center that functions as an education center that allows tourists to see firsthand the process of making handicrafts and learn about Simalungun's cultural philosophy (Febrianty et al., 2025). This policy is very helpful in introducing cultural heritage to tourists and the younger generation, while increasing awareness and appreciation of local culture (Khair, 2023).

### 4. CONCLUSION

The legal framework for the Nagori Tongah Village Administration in preserving local culture is regulated in several regulations, such as Article 32 Paragraph (1) of the 1945 Constitution, Article 24 of Law Number 5 of 2017 concerning the Promotion of Culture, Articles 26 and 103 3 of Law Number 6 of 2014 concerning Villages, Regulation of the Minister of Education and Culture of the Republic of Indonesia Number 10 of 2014 concerning Guidelines for the Preservation of Traditions, Regional Regulation of Simalungun Regency Number 20 of 2000 concerning the Empowerment, Preservation, and Development of Customs and Traditional Institutions in Simalungun Regency, as well as Nagori Tongah Village Regulation Number: 5 of 2023 concerning Nagori Tourism. This legal basis gives the village the authority to regulate and manage the interests of the community based on customs and traditions, as well as to establish the preservation of customs and traditions as an effort to protect and maintain cultural values, including ethics, morals, and customs in a sustainable manner.

The challenges and obstacles faced by the Nagori Tongah Village Administration in its efforts to preserve local culture are: changes in social values and technology, economic modernization, lack of public awareness and participation, limited resources and supporting infrastructure, and lack of promotional support at the national level. To overcome these obstacles, the Nagori Tongah Village Administration has implemented several policies, including: planning and organizing cultural preservation, increasing community empowerment and participation, providing funding/budget allocations, protecting culture, collaborating with relevant parties in cultural promotion, and establishing a creative industry center that functions as a center for Simalungun cultural education.

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