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Abstract: Reba is a traditional ritual that is ceremonially celebrated by a sub-ethnic community in Ngada, called Ngadha. The ceremony is a sacred moment for the community for the process of renewal, reflection, and reconciliation of both horizontally with their fellow human being, their ancestors, their natural environment, and vertically with their God. Reba is a time for celebrating a traditional new year, expressing the people's gratitude for their harvest, and commemorating the history of the tribal ancestors. The Reba ritual is one of the traditional cultural expressions that are prone to modification and use by non-custodians. Using a qualitative approach, this study employed a case study on Reba in Ngadha and analytically examines any provisions in the existing legal system related to traditional cultural expression. Data is collected from an interview and from a literature review. This study provides an analysis of any local law to protect traditional cultural expression.

Keywords: Reba; legal protection; traditional cultural expression; intellectual property; Indonesia.

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1 Introduction

Essentially, humans are cultural beings. In addition to personal and social creatures, humans are cultural creatures. Humans shape and are shaped by and in culture. Humans are different to animals which are natural creatures. Culture is a human response to the surrounding environment, nature, other humans, and the transcendent. Culture is a concrete expression of human existence in facing and overcoming all problems. As stated by Driyarkara, humans must free themselves from the entanglements of nature; hence, culture is a process of liberalisation from the challenges and constraints of nature. Culture is *actus humanus*, the act of expressing human nature.¹

Philosophically, the nature of humans as cultural beings is inseparable from Ernest Cassirer's discourse on humans as animal *symbolicum* (animals with symbols) contained in his book entitled *An Essay on Man*, 1944.² He slightly corrected Aristotle who proclaimed humans as animal *rationale* (thinking animals), Cassirer said that it is not enough for humans to just think, to be different from other creatures. A unique and special aspect (*sui generis*) in humans is at the time they can realise their thinking potential and generate symbols (animal *symbolicum*). Humans are not only creatures of contemplation and reflection, but also creatures of action and history. Symbols are an externalisation and actualisation of the potential of human thinking. It is at this level that goes beyond just thinking that culture, language and writing, myth and religion, art, history, as well as science are born. The Latin axiom *cogito ergo sum* (I think, therefore I am) must and can lead to *lego ergo scio* (I read, therefore I know) only with human symbolic abilities.

Anatomically, humans and animals both have *merknetz* (receptors/direct answers) and *wirknetz* (effectors/delayed answers), but there is a distinctive feature that humans have

and animals do not, namely a symbolic system (delayed answers before a thought process). Language, myth, art, and religion are parts of this symbolic world.³

However, it should be noted that humans create culture (*faber mundi*) but humans are also shaped by culture, especially in terms of character and identity. Culture (symbols) is not merely an object 'out there', but simultaneously is also pre-reflective dispositions and tendencies 'inside' human beings. Culture is an eternal human effort in living, maintaining, and developing their life. In short, culture is a process of human realisation.⁴ Therefore, without symbols that they generated, humans are no different from animals. The existence and essence of humans can only be understood from the fruit of their mind (culture).

Human ability and desire to know is not only the basis of knowledge and science as a form of sublime knowledge but also the basis of culture, which in the end, also includes all knowledge that has been developed and sublimated by humans (as the pinnacle of realisation of human existence).⁵

Reba culture, in the context of sub-ethnic community in Bajawa/Ngadha, Ngada Regency, East Nusa Tenggara Province (NTT) is the fruit of the culture of the community as a rational animal (internalisation) as well as an animal *symbolicum* (externalisation and actualisation). Reba culture is a form of response from the community in Ngada Regency to the social and natural environment, both immanent and transcendent in the whole journey of their ancestors to this day. Reba is a philosophy of life for the Bajawa/Ngadha people.

In interviews with several Reba traditional informants, it is found that Reba is one of the sacred rituals celebrated annually and passed down from generation to generation (*po boro, na'a lema*). Reba as a moment of gratitude; remembering the origins of the ancestors; moments of reflection, evaluation, and introspection; moment of solving all life problems; which is then followed by a moment of affirmation and renewal of life; moment of renewing relationship with the Almighty (Deity Zeta); planning to live in the new year, thus, the Reba moment is considered a holy and sacred moment (*sanctum* and *sacrum*).

Nowadays, Reba culture is facing the globalisation problem. Efforts to save themselves from disruption in global freedom are a challenge for the custodian community. Sustainability (in action and narrative) and originality is becoming a difficult mission in this era of cross-border openness and even borderlessness. It is not impossible that contemporary/pop culture can become a cannibal of the ancient culture (traditional), global society (globality) can co-opt the culture of custodial community (cultural locality).

Challenges of globalisation are emerging as the tourism industry development is planned as the prime mover of development by the East Nusa Tenggara (NTT) Provincial Government. The preservation of Reba's culture originality will become difficult homework if this sacred ritual is only present as an artistic performance for the sake of tourism and are mostly displayed/performed outside the community of Bajawa (by diaspora communities/non-custodian), without any protection either through policies or regulations, without detailed narratives, and without well-documented literature.

In the context of intellectual property protection in Ngada, the Ngada Regency Government already has Regional Regulation Number 8 of 2021 on the Implementation of Intellectual Property Protection. Reba culture itself has been recorded as a communal Intellectual Property (KIK) of Ngada traditional cultural expression at the Ministry of Law and Human Rights, in addition to *Ja'i* dance, *Wete Muri* Ritual, *Sagi* Traditional

Boxing, *Wela Maka* Traditional Game, *Larik* Game, *Ngadhu Bhaga* Ancestral Symbol, and *Bombardoom* traditional musical instruments.⁶ These two arrangements are still far from being optimal protection for cultural sustainability and originality.

From several sources (informants), it was found that the problem of protecting and preserving the traditional Reba ritual is becoming a serious problem. The chief of the tribes and elders of Reba tradition in Ngada have shared concerns about the protection and preservation of traditional rituals originality in the era of open information and the vigorous tourism industry. This concern is justified, even though there is already a Ngada Regency Regulation on the Implementation of Intellectual Property Protection and the registration of Reba as KIK at the Ministry of Law and Human Rights.

The role of the Village Customary Council as stated in Law Number 6 of 2014 on Village Government has been ineffective and contributes to the weakness of efforts to protect and preserve culture in villages, including in the tribal community of Reba culture.

2 Research methodology

This study applies a juridical normative qualitative approach with analytical descriptive specifications. This study begins by reviewing international provisions on traditional cultural expressions, various regulations related to the protection of traditional cultural expressions, protection of Reba culture as KIK in the Ministry of Law and Human Rights, as well as other protection policies in the region in the form of a Regional Regulation on the Protection of Intellectual Property in Ngada Regency.

This study analyses the object by utilising primary and secondary data. Primary data was collected through direct interviews with resource persons who are stakeholders and the custodian of Reba who inhabited Langa, Ngada Regency. Secondary data is taken from the results of a literature review or a study of various literature or library materials that are closely related to regulations and theories regarding the protection of traditional cultural expressions and the Reba culture in Ngada. This secondary data can be sourced from primary legal materials such as legislation, secondary legal materials such as scientific books and research results, as well as tertiary legal materials such as dictionaries, articles, journals, internet media and others.

Some of the informants who were interviewed directly were Mr. Lukas Du'a Tea from the traditional house (Sa'o) Geghe Jo, Bomari Village, Mr. Yohanes Nai from Sa'o Suri Zi'a, Beja Village, and Mr. Yohanes Wuda from Sa'o Leghu Watu Langa Gedha Village.

3 Results

3.1 Regulation on the protection of traditional cultural expression

1 International Agreements Governing the Protection of Traditional Cultures

Several international agreements and regulations have regulated intellectual property, particularly, the issue of protecting and preserving traditional cultural expressions.

The following are several international agreements that discuss intellectual property issues, including the protection of traditional culture, namely:

a Berne Convention

The Berne Convention of 1886 on the Protection of Art and Literature including traditional cultural expressions in a special category, namely works of unknown authors/anonymous works. Article 15(4) of the Berne Convention states that: in the case of unpublished works where the identity of the author is unknown, but there is every ground to presume that he/she is a national of a country of the union, it shall be an observer for legislation in that country to designate the competent authority, which shall represent the author and shall be entitled, to protect and enforce his rights in the countries of the union. The traditional cultural expression is the result of joint creation or communal creation passed down from ancestors from one generation to the next, so the identity of the 'creator' is usually unknown. From this point of view, at first glance, it appears that traditional cultural expressions can indeed be categorised as a work of an unknown author as regulated in the Berne Convention.⁷

b Model Provisions for National Laws on the Protection of Expressions of Folklore against Illicit Exploitation and Other Forms of Prejudicial Action 1982

International organisations have made significant contributions directly to protecting traditional cultural expressions. In 1982, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Intellectual Property Organization (WIPO) offered a model called the 'Model Provisions for National Laws on the Protection of Expressions of Folklore against Illicit Exploitation and other Forms of Prejudicial Action', abbreviated as 'model provisions'. Model provisions basically build a *sui generis* system, which provides comprehensive protection for traditional cultural expressions that become a legal model for countries by referring to and considering their national legal systems.⁸

c In 2000, WIPO stipulated *Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)*. Discuss a *sui generis* system to protect genetic resources, traditional knowledge, and traditional cultural expressions to accelerate progress in protecting traditional cultural expressions. The representatives of indigenous groups who are members of the *Indigenous Caucus* forum, always voice that traditional cultural expressions belong to all indigenous peoples.⁹

d UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage 2003 (ICH Convention)

Since 2003, Indonesia has ratified the Convention for the Safeguarding of Intangible Cultural Heritage through Presidential Regulation Number 78 of 2007 on Ratification of the Convention for the Safeguarding of Intangible Cultural Heritage. As a follow-up to the ratification, until September 2016 approximately 150 intangible cultural heritages in Indonesia have been designated as Indonesian Intangible Cultural Heritage by the Minister of Education and Culture based on the recommendation of the Indonesian Intangible Cultural Heritage Team of Experts.¹⁰

This convention is critical for the world of intangible cultural heritage in human history as it seeks to safeguard the intangible cultural heritage which is under “threat of degradation, destruction, extinction, especially because of the lack of resources to save such heritage.” Furthermore, the preamble of the convention also mentions the need to “recognize that communities, in particular indigenous communities, groups, and in some cases, individuals as well, play an important role in generating, saving, preserving and recreating intangible cultural heritage, thereby helping to enrich cultural diversity and human creativity.”¹¹

e UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005

The main objective of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions is to protect and promote the diversity of cultural expressions. Compared to the ICH Convention, this convention clearly considers the protection of the diversity of cultural expressions through a human rights perspective in its text. The preamble directly mentions the need to “recognize the importance of intellectual property rights in supporting people engaged in cultural creativity”, which could positively support a closer relationship between intellectual property rights protection and traditional cultural expressions. The UNESCO Convention provides an acknowledgement of the possibility of Intellectual Property Rights interference to protect traditional cultural expressions.¹²

f *The Universal Declaration of Human Rights* states that everyone has the right to be protected by moral and material interests because of the scientific, literary, and artistic production of which he/she is the creator. The International Covenant on Economic, Social and Cultural Rights includes the right to self-determination and the recognition of the right of everyone to benefit from the protection of the moral and material interests resulting from the artistic, scientific, and literary production of which he/she is the creator. The International Covenant on Civil and Political Rights provides that “members of cultural minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”¹³

2 The National Law Governing Protection of Traditional Culture

a Law Number 28 of 2014

Historically, Indonesia has had laws on copyright and has undergone several changes, namely: *Auteurswet* 1912 (during the Dutch colonial period), Law Number 6 of 1982 on Copyright, Law Number 12 of 1997 on Copyright, Law Number 19 of 2002 on Copyright, and the last is Law Number 28 of 2014 on Copyright.¹⁴

At the end of 2014, there was a glimmer of hope when a law on copyright was issued that regulates and protects traditional cultural expressions in the country. There are several important articles contained such as Article 38 and Article 60.

Article 38 Paragraph (1) stipulates that copyright on traditional cultural expressions is held by the State. In Paragraph (2), it is stated that the state is obliged to make an inventory, preserve, and maintain traditional cultural expressions. Further, Paragraph (3) stipulates that the use of traditional cultural expressions must pay attention to the values that live in the indigenous community. Moreover, it is stated that further provisions regarding copyright held by the state on traditional cultural expressions are regulated by Government Regulation. In the Explanation of Article 38 Paragraph (1), it is stated that what is meant by traditional cultural expressions includes one or a combination of forms of expression: verbal textual, music, motion, theatre, visual arts and traditional ceremonies. Article 60 states that copyright on traditional cultural expressions held by the state are valid indefinitely.

A noticeable aspect of the 2014 Copyright Law is that the development of science, technology, art, and literature has been so rapid that it requires more protection and legal certainty for creators, copyright holders, and related rights owners and that Indonesia has become a member of various international agreements in the field of copyright and related rights so that further implementation is needed in the national legal system, hence, national creators are able to compete in the international domain.¹⁵

The components included in efforts to protect and preserve culture are highly dependent on the content and context of the local community that owns traditional culture (custodian). Thus, the presence of local governments, including provincial governments, district/city governments, and village governments is very much needed in mobilising and realising efforts to protect and preserve as well as utilise them in the context of regional autonomy.

b Ngada Regency Regional Regulation Number 8 of 2021 on the Implementation of Intellectual Property Protection

In November 2021, an effort to protect traditional cultural expressions was formed with the stipulation of Ngada Regency Regulation Number 8 of 2021 on the Implementation of Intellectual Property Protection. The objectives of implementing intellectual property protection according to this Regional Regulation (Article 2) are:

- 1 provide legal protection for intellectual property both owned by individuals and communities in the region
- 2 maintain and preserve community culture as regional characteristics
- 3 increase business and activities related to intellectual property.

The scope of the Regional Regulation includes: inventory, identification, and research on potential intellectual property; protection of Intellectual property; empowerment of intellectual property actors; funding; guidance and supervision; and community participation.

Article 4, regional governments are responsible, in accordance with their authority, to carry out inventory, identification, and research on intellectual property potential in the regions, including:

- 1 Personal rights, consist of rights: patents, trademarks, industrial designs, copyrights, trade secrets and integrated circuit layout designs.
- 2 Communal rights, consist of: traditional cultural expressions, traditional knowledge, geographical indications and genetic resources.

Article 16 states that intellectual property protection is carried out by prioritising local products and culture, fostering, facilitating intellectual property registration and advocacy. However, this Regional Regulation has not explicitly discussed and protected the Reba culture in Ngadha.

- c Letter of Recorded Inventory of KIK of Traditional Cultural Expressions with Inventory Number: EBT.12.2020.00000091

The nomenclature used in intellectual property registration at the Ministry of Law and Human Rights remains the same, namely Reba (traditional New Year's rite). The custodian/bearer of this traditional cultural expression is the Langa indigenous community in Ngada Regency. The types of traditional cultural expressions of Reba are textual verbal, motion, visual arts and traditional ceremonies.

The classification of the recorded Reba cultural ceremony is a culture that is open, sacred, and firmly held from generation to generation that is included in the Ngadha/Bajawa sub-ethnic community in Ngada Regency, East Nusa Tenggara (NTT) Province. The series of Reba ceremonies have been documented and archived in the Indonesian KIK National Data Center, in accordance with Article 38 of Law Number 28 of 2014 on Copyright on 16 December 2020.

The KIK inventory activity is the government's effort to implement a defensive protection system for KIK. This is based on the fact that although KIK does not fulfil the element of novelty, its existence is the result of the thinking power of indigenous peoples and is able to survive for a very long time. In addition, it has been proven that KIK is also beneficial for human life, hence, appreciation should be addressed to the works of indigenous peoples. The main purpose of the KIK inventory is to protect the rights of indigenous peoples to prevent unauthorised use of KIK and/or unfair profit sharing for them.¹⁶

Profit sharing in the context of intellectual property is very local based on the wisdom and policies in the area where the KIK lives. Basically, the implementing community does not really care about the high economic value of KIK, but along with global developments and the increase in the tourism industry, KIK must be regulated and protected, including in terms of profit sharing that the bearer community must enjoy for their welfare. The distribution mechanism is varied, the most important of which is the impact on welfare for the bearer community. In the context of Reba which is staged outside the developer community, there must be economic benefits to the developer community. How the distribution mechanism will be regulated if there is already a regional regulation specifically made regarding the Reba culture.

d Draft of NTT Province Regional Regulation on the Promotion of Culture in the Regions

Promotion of Culture in the Draft of Regional Regulation of NTT Province is defined as an effort to increase cultural resilience and the contribution of Indonesian culture amid the world civilisation through protecting, developing, utilising and fostering culture. The aim is to develop noble values of the nation's culture, enrich cultural diversity, strengthen national identity, strengthen national unity and integrity, improve the nation's image, create a civil society, improve people's welfare, preserve the nation's cultural heritage, and influence the direction of development of world civilisation, hence, culture becomes the direction of national development.

Article 21 of the Draft of Regional Regulation states that the objects for the promotion of regional culture include: oral traditions, manuscripts, customs, rites, traditional knowledge, traditional technology, art, language, folk games and traditional sports.

Article 44 of the Draft of Regional Regulation delineates duties of local governments in promoting regional culture, namely: to guarantee freedom of expression, ensure the protection of cultural expressions, carry out regional culture promotion, maintain diversity, manage information in the field of regional culture, provide local cultural facilities and infrastructure, provide a source of funding for regional culture promotion, establish a mechanism for community involvement in regional culture promotion, encourage active roles and community initiatives in the promotion of regional culture, as well as revive and maintain a sustainable cultural ecosystem.

Meanwhile, Article 45 of the Draft of Regional Regulation states that the authorities include: formulate and establish policies for regional culture promotion, planning, organising, and supervising regional culture promotion, formulate and establish mechanisms for community involvement in regional culture promotion, and formulate and establish funding mechanisms for regional culture promotion. As of this writing, this regional regulation has not been discussed further.

Some of these international agreements have become important literature in the protection of traditional cultural expressions with communal characteristics. And, these various agreements have been well accommodated in national laws and regulations, one of which is Law Number 28 of 2014 concerning copyright. As an expression of traditional communal culture and whose creator is unknown, Reba culture certainly benefits from the existence of several international agreements above and is recognised in national legislation. Thus, the Reba culture in the Ngadha community is very relevant to be regulated in the Ngada Regency regional regulations and does not conflict with the national regulations above it and international agreements.

3.2 Legal protection of Reba traditional cultural expression as KIK Rights

Legal protection for Reba's traditional cultural expressions is critical for its sustainability and originality in the era of openness and development of the tourism industry in NTT Province. Legal protection is also important with regards to copyright and related

economic aspects. The protection and preservation of Reba traditional ritual in the Bajawa/Ngadha tribal community is an urgent matter. This thesis was obtained by the author from observations during the Reba ceremony in recent years and the results of interviews with several custodians in Langa, as well as the communal anxiety in their daily lives.

Of the aforementioned regulations, none of them explicated *sui generis* of Reba culture, especially on its protection and preservation. The recording of the Reba ritual as KIK at the Directorate General of Intellectual Property (16 December 2020), Ministry of Law and Human Rights is one form of protection that is still considered limited to only tackling claims from other parties/communities. The author deems that concern amid the community is the problem of protecting its sustainability and originality in the midst of this borderless globalisation. Meanwhile, the national regulation, namely the Copyright Law, is the legal umbrella for various derivative regulations including regional regulations that specifically regulate traditional cultural expressions such as Reba in Ngada Regency.

The question is, why are there concerns about the existence of Reba culture in the Ngadha community? For the Ngadha community, Reba is a sacred moment related to their existence and essence. For custodians, Reba is like a reference to where they came from, the present process, and the direction towards the future (ancestors, social interactions and the surrounding environment, as well as a vertical relationship with the creator). This deep meaning from several interviewees is on the meaning and urgency of protecting the Reba culture. The following are excerpts from interviews with several tribal chiefs/customary leaders/custodians of Reba.

3.2.1 Meaning of Reba

Through interviews and direct observation, the author can convey that Reba culture is a holistic identity for the Bajawa/Ngadha sub-ethnic community. Reba is a historical narrative that remains actual in the daily life of the community, it can be said that it is the 'religion' of the custodian/bearer community. In this study, the author obtains an overview of the meaning of Reba for the custodian/bearer community. *Mr. Lukas Du'a*, as a tribal chief from Sa'o Geghe Jo, Bomari Village said that Reba culture is a sacred moment that has been passed down from generation to generation verbally (*po boro, na'a lema*). The Reba ritual is held annually and all community members are expected to attend, including those who have migrated or resettled outside the village (*gae kuru nguza wae lina*). Here is an excerpt from the interview:¹⁷

"The Reba moment is a sacred moment since it has extraordinary meaning in renewing life, relationships with others, with nature, with ancestors, and with the Creator (Zeta Deity)."

He explicitly described that Reba's moment was a special moment. Reba is a moment of cultivating brotherhood and solidarity, unity and oneness; moments of self-awareness, evaluation, reflection, and introspection for family members (*one sa'o*) and tribal members (*ana woe*) to return to living according to cultural norms, such as living in peace, hard work (*ugu kungu ne'e uri logo*), and love (*modhe ne'e soga woe, meku ne'e dua delu*); moments of economic empowerment for social welfare. With regard to this moment of economic empowerment, the following are excerpts from his interview:¹⁸

“Reba is a moment of economic affirmation, namely continuing to grow crops, which in the ancestral discourse, is a fruitful garden/*wonga toro wole mite*; agricultural products must be shared, namely *ja’o da ngo wi papa dho’o, dho’o ne’e da jongo, meku ne’e da fai walu, kago ne’e da ana salo*; must be able to save/*tore sealu tuku sealu*; moment of regeneration and transfer of knowledge/*tedu da bepu dhepo da be’o/ kedhu sebu pusi sebu*.”

With regard to the meaning of Reba, correspondingly, Mr. Yohanes Wuda from Sa’o Leghu Watu, Langagedha Village said that the Reba moment is a moment of evaluation, reflection on the past year and a moment of communicating messages to prepare for the future. He said:¹⁹

“Evaluation of behaviour such as stealing people’s property/*pako sato wela banga*, taking people’s land, and *pela* (cheating); mistakes in building traditional houses; problems in the youth’s love relationship; land dispute issues; and others.”

In his opinion, at the moment of Reba, all problems and enmity are resolved and ended. Subsequent to evaluation and reflection, there is also a moment of delivering messages (*lese*) and advice (*po pens*) for future arrangements. The values of Reba are taught and communicated to all family members and tribal members to continue to be internalised and passed on to future generations (*Sai dhu watu boto nee tana lala, laa waa zala page wa’a wesa*). What if these messages and advice are ignored? According to Mr. Jhoni (as he is called):²⁰

“If they are not obeyed, there will be sanctions or penalties, such as *Na’a wa ko na’a wa kada, dua date nuka fe’a* (working hard but with no results), *jera*/deterrent (extinction of pets/livestock), and the third is *mata boe* (human extinction).”

3.2.2 The urgency of protecting Reba

Culture is always relative and adaptive over time in accordance with the development of social interaction and technological progress. The nature of this culture is a challenge for the bearers of KIK as in Reba culture. Some of the interviewees deeply understood and felt this condition. This is evident in the following interview results.

From the results of the interview with Mr. Lukas Du’a, it was found that the Reba culture in Ngadha has not been well protected. There is a Ngada Regency Regional Regulation Number 8 of 2021 on the Implementation of Intellectual Property Protection, however, it is broad and there has been no socialisation at all to indigenous people and tribal/culture chiefs. A lot of symbols are not interpreted correctly by the current generation. Likewise, the poems (*sui uwi*) are mostly modified to just a collection of sounds among young people as the meaning seems to be reduced to many young people (*sui wula*). With regard to the cause, Mr. Lukas said:²¹

“This condition is caused by the Reba ritual that is only passed down in writings. No book has been written completely on Reba culture. In addition, Reba culture has not been taught comprehensively in schools.”

With regard to Reba cultural performances outside Ngadha territory, he affirmed:²²

“It should not be performed outside the cultural zone because it will have an impact on authenticity. If it continues to be performed outside, it will diminish the obligation for those who migrate or resettle outside the village to return home. This will create a generation of *sui we kowa jora* (those who migrate or

resettle outside the village who do not know *ngadhu baga*) and forget to go home (*sa'o meze tangi lewa*)."'

Similar to the first interviewee, *Mr. Yohanes Wuda* said that the issue of protection and preservation became a highly serious problem for Reba culture because modifications are emerging in terms of technical rituals. Moreover, it seems that the youth have little understanding of the ritual and meaning of Reba who see it more as a festivity. Many young people are just spectators and do not wear traditional clothing according to their age group. Raising several issues on this, he said:²³

"Back when we were little, there was a village chief and now there is an Tribal Council but it does not work; it only takes care of land disputes. As long as there has been a village chief/elders and now tribal council, not a single village regulation has been made with regard to Reba. Likewise, the Ngada Regional Government does not yet have a Regional Regulation that specifically regulates Reba. Also, we do not have a book that specifically writes about Reba culture. So far, there have only been research and interviews, but no books yet."

When asked about various cultural performances of the Reba diaspora (those who migrate or resettle outside the village), he emphasised:²⁴

"Please perform Reba in Kupang or even Jakarta because it is good so that Ngadha diaspora residents can understand and benefit economically because a lot of local weaving is sold to Kupang and Jakarta. It just needs to be regulated that not all ritual stages can be performed outside, especially those related to *sa'o* and *ngadu bhaga* (traditional houses and *pemali*/sacred wood)."

Mr. Jhoni said that it is necessary to arrange the stages of traditional ceremonies that can be performed and other stages, which because of their sanctity, are prohibited to be performed outside the cultural zone. This is closely related to the authenticity and sanctity of Reba culture.

With regard to the preservation of Reba culture, Mr. Jhoni hopes that there will be lessons about Reba culture taught in schools. Reba has extraordinary value and meaning communicated through *sui uwi* and *pata dela* poems as we understand and internalise the values that exist in Pancasila. He added:²⁵

"In the poems and advice of traditional village chiefs, there are *Dewa zeta da ladho me'a* (Belief in the one and only God); *modhe nee soga woe meku nee dua delu* (just and civilized humanity); *kolo se toko aze setebu* (the unity of Indonesia), *one sawoe bhodha nee da dela/ulu wula, bha'i ulu dala* (Democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives), *seboge riu roe-sekepo nari nedo* (social justice for the whole people of Indonesia)."

On the protection of Reba culture, there is another informant, namely *Mr. Yohanes Nai* from Sa'o Suri Zi'a, Beja Village who highlighted the problem of Reba inculturation in *Seulu Langa meze eko pale mala* (in the Langa Community). He recounted that the establishment of the Reba Mass or what is called Reba Goge which is held annually every 15 January has been started since 1950. The stipulation was initially only for the Congregation so that it was called Reba Congregation. In 1980, the Reba Mass was opened to the public even though it was still limited. In 1982, the new public Reba Mass was initiated by Pater Tadeus Piech, SVD and later established by the Langa Parish Pastoral Council (DPP Paroki Langa). Mr. Yan corrected this by stating the following:²⁶

“There are several aspects that must be corrected in the Reba inculturation as it is not in line with the stages and reduces the role of the Reba tradition chiefs because they are replaced with committees. At the mass inculturation, it should not be directly performing *sui uwi* because the time is yet to come and it is still prone to be politicized.”

4 Closing

4.1 Conclusions

Protecting Reba culture preservation and originality must begin with efforts to shift from the pre-literate tradition to the literate tradition. The Reba culture as a way of life for the Bajawa-Ngadha community must begin with the literate tradition (writing), be regulated and documented properly, and then regulated through regional regulations and village regulations. Documentation of Reba ritual can be conducted both physically and digitally in order to maintain its originality in the face of the globalisation of tourism and for its preservation for future generations as community needs.

From this study, there needs to be cooperation from various parties which is certainly driven by the government in building public awareness of the importance of protecting and regulating traditional cultural expressions, because culture is identity. The government needs to be proactive in identifying, inventorying, documenting and registering culture in areas to avoid extinction and claims from other parties or countries.

4.2 Recommendations

After elucidating the aforementioned descriptions and studies, the author suggests:

- 1 The Ngada Regency Government must be the leading sector in initiating documents on Reba in the form of books or audio-visuals. Judging from the current millennial lifestyle, if it continues to be communicated verbally, it is certain that the meaning of Reba's culture will shift and modifies. With books, both physical and digital books, as well as audiovisuals, the teachings of the ancestors (*ebu nusi*), original poems (*pata dela* and *sui uwi*) will be maintained and carried out by future generations.
- 2 In addition to documentation through books, the next stage to take by the local government is the need for village regulations and regional regulations. With the Village and Regional Regulations, all tribal communities continue to carry out rituals with clear limitations of each traditional house (*sa'o*). With the Regional Regulation, there are restrictions for those who migrate or resettle outside the village (diaspora communities) when performing Reba rituals outside the cultural zone. Regulations can determine which stages and forms of rituals can be performed outside and which can only be performed in the Ngadha cultural zone.
- 3 *The Tribal Council* must be revived by the village government and regency/city administration, hence, the documentation of the Reba ritual and other traditional rituals can be carried out properly and systematically.

- 4 *Reba inculturation*: There are several aspects that must be corrected in Reba inculturation because it is not in accordance with the stages, as the inculturation happens simultaneously with *a sui uwi*. During the Reba inculturation, the role of tribal chiefs, especially from *Woe Kepo Wisu* was reduced and many were performed by the committee. The role of this correction can be carried out by the Tribal Council.
- 5 *Local content*: The Ngada local government should start including the Reba rituals as local content to be taught and learned in classrooms in Ngada Regency. The teachings (*pata dela*) in the Reba rituals have a comprehensive meaning as the values in Pancasila: belief in the one and only God (*Dewa zeta da ladho me'a*), just and civilised humanity (*modhe nee sogwa woe meku nee dua delu*), the unity of Indonesia (*kolo se toko aze setebu*), democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives (*one sawoe bhodha nee da dela/ulu wula, bha'i ulu dala*), and social justice for the whole people of Indonesia (*seboge riu roe sekepo nari nedo*).

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Other documents

Paper dari Kantor Wilayah Kementerian Hukum dan HAM NTT.

Legal documents

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- Law Number 28 of 2014 on Copyright.*
- Letter of Recording Inventory of Communal Intellectual Property of Traditional Cultural Expressions with Inventory Number: EBT.12.2020.00000091.*
- Regional Regulation of Ngada Number 8 of 2021 on the Implementation of Intellectual Property Protection.*

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- <https://jakarta.kemenkumham.go.id/berita-kanwil-terkini-3/pelindungan-warisan-budaya-lokal-melalui-inventarisasi-kekayaan-intelektual-komunal>.

Notes

- 1 Sihotang (2018, pp.136–137).
- 2 Suria Sumantri (1982, p.171).
- 3 Cassirer (1990, p.39).
- 4 Kusumohamidjojo (2017, p.8).
- 5 *Ibid.* (p.17).
- 6 Based on the Ministry of Law and Human Right of NTT Regional Office.
- 7 Susanti et al. (2019, p.16).
- 8 *Ibid.* (p.22).
- 9 *Ibid.* (pp.23–24).
- 10 <http://pusdiklat.kemendag.go.id/v2019/article/pelindungan-terhadap-warisan-budaya-takbenda>.
- 11 Susanti et al., op. cit. (pp.26–27).
- 12 *Ibid.* (pp.27–28).
- 13 *Ibid.* (p.29).
- 14 *Ibid.* (p.80).
- 15 Susanti, R.D.I. (2017) *Hak Cipta: Kajian Filosofis dan Historis*, p.120, Setara Press, Malang.
- 16 <https://jakarta.kemenkumham.go.id/berita-kanwil-terkini-3/pelindungan-warisan-budaya-lokal-melalui-inventarisasi-kekayaan-intelektual-komunal>.
- 17 Interview with Lukas Du'a, April 5, 2022 in Langa, Ngada, Flores.
- 18 *Ibid.*
- 19 Interview with Yohanes Wuda, April 8, 2022 in Langa, Ngada, Flores.
- 20 *Ibid.*
- 21 Interview with Lukas Du'a, op. cit.
- 22 *Ibid.*
- 23 Interview with Yohanes Wuda, op. cit.
- 24 *Ibid.*
- 25 *Ibid.*
- 26 Interview with Yohanes Nai, April 8, 2022 in Langa, Ngada, Flores.