

THE MODELS OF NAGARI INDIGENOUS GOVERNMENTS IN WEST SUMATRA

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Abstract

Law No. 6 of 2014 concerning Villages provides opportunities for indigenous communities to form indigenous village governments. *Nagari*s have an established government system, and yet it is getting blurry and dysfunctional institutionally as rules and regulations concerning village governments change. This study aims to explore and rediscover the *nagari* government models according to the Minangkabau customs. Data were collected with a mixed-method approach, including survey, observation, interview, and focus group discussion (FGD) methods. This study found that, first, there are two *nagari* government models in the Minangkabau customs, namely the aristocratic model and the democratic model. Second, the cultural identity of the Minangkabau society is reflected in the concept of *banagari*, as the traditional system and the government system as an autonomous and independent entity. Third, the *nagari* government system accommodates two systems that are running simultaneously, namely the state government system and the indigenous government system, in the context of *banagari* life by using a system that divides the government into three branches, namely an executive, a legislature, and a judiciary.

Keywords: *Nagari*, Models of Indigenous Governments, Democracy, Sovereignty

I. INTRODUCTION

Nagari as an indigenous community unit has its democratic system, featuring its defense mechanisms from various external threats and destruction, and also regulates the use of resources to safeguard the common interests of natural resources in the long term (Akmal, 2008; Azwar et al., 2018; Hanani & Aziz, 2009). Unfortunately, the adaptation and self-defense mechanisms have been "crushed" by continuous blows and the draining of the strength of the indigenous people. Ironically, such actions are facilitated, encouraged, and even carried out by government bureaucracies and other government institutions. Some indigenous communities in Indonesia know local democratic systems that firmly maintain a consultative system, known as deliberative democracy, which is a process of joint decision making carried out through

deliberations (Gerald, 2017; Muzaqqi, 2012; Pamungkas, 2017). For indigenous communities in general, the noblest decisions are those taken by deliberation, where decisions are made based on the most common sense found through the struggle of the whole community's thinking. In contrast, the least noble decisions are those taken based on the most votes where decisions are made on particular interests. That is why in indigenous communities, the position of intellectuals is highly respected, gaining a special place in the deliberation process (Aermadepa, 2016; Amalia & Syawie, 2015; Mouffe, 1999).

On the contrary, in current liberal democratic politics, intellectuals only serve as a tool for politicians who hunt for political power for pragmatic interests among voters. It is this most pragmatic interest of the people, which then

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becomes the problem of our democracy today. The sovereignty of the people is imprisoned in the values of citizens' individualistic pragmatism. In the past, the government tried hard to "kill" the instruments of democracy of indigenous communities. They even legitimized powers outside of indigenous communities to enter and control indigenous communities by creating or allowing indigenous institutions created by the government or those that represent the old feudal powers amid the indigenous communities. This old power in its heyday oppressed the indigenous communities.

New hope emerged in 2014 with the enactment of Law No. 6 of 2014 concerning Villages. This Village Law gives confidence because it entirely recognizes the right of origin, which is well-known for its recognition principle, in addition to the local village-scaled rights. The recognition of the right of origin and the provision of village stimulant funds have given new hopes to rise. With this law, villages and indigenous villages are genuinely returned to the diversity of village forms, government structures, and social structures.

West Sumatra quickly responded to this Village Law, which also regulates the possibility of establishing an indigenous government system. Moreover, nationally, West Sumatra was the first to make a regional regulation concerning indigenous governments. That means West Sumatra becomes a national reference for the implementation of indigenous governments in Indonesia. Therefore, in general, the enactment of Regional Regulation No. 7 of 2018 concerning *Nagari*, as a followup of Law No. 6 of 2014 concerning Villages, is a breath of fresh air for the indigenous people (*anak nagari*) in West Sumatra to reorganize and refunction the *nagari* life as an indigenous community and *nagari* as a government as a whole. That is to say, the implementation of *adat basandi syarak - syarak basandi Kitabullah* as the philosophy of the Minangkabau society is applied throughout the activities of *anak nagari*, *syarak mangato-adat mamakai*, including in running the *nagari* government as part of the Unitary State of the Republic of Indonesia (Azwar et al., 2018). This study is essential to find the formula of a government system that revives traditional values in the *nagari* government system as an indigenous government that still retains the right of origin and local values as customary law communities.

This research problem was formulated with several questions, relating to *nagari* as indigenous government and as a unit of customary law communities who have the right of origin, that is, what are the models of *nagari* indigenous governments in West Sumatra within the

Minangkabau customary frame. This study aims to explore and discover the models of *nagari* indigenous governments in the Minangkabau customs, as *limbago adat* or as an autonomous government institution in the government system of the Unitary State of the Republic of Indonesia. This study is expected to be a reference for the development of *nagari* governments as indigenous villages as mandated in Law No. 6 of 2014 concerning Villages, followed by the issuance of Regional Regulation No. 7 of 2018 concerning *Nagari*.

II. METHOD

This is a study on the development of *nagari* government system as the implementation of Law No. 6 of 2014 concerning Villages. *Nagari*, which has moral and institutional dimensions, is a foundation for the formation of community groups bound by religious and cultural awareness that shapes the social system and character of the Minangkabau society as a cultural identity. This study explains the cultural strength of *nagaris* as autonomous government institutions in the Minangkabau society system, based on empirical data, not building theories based on deductive logic. Some critical information about the existence of *nagaris* is obtained by interviewing customary leaders. Meanwhile, some observations were made relating to the social dynamics of the developing *nagari* communities. For example, people's understanding of the existence of *nagari* governments in the past and the present. Observations were made to improve the information about some data obtained through interviews, both with the customary leaders and the *nagari* communities, to get a complete understanding of the system or models of *nagari* governments. Focus group discussions (FGDs) were conducted with customary leaders to obtain information about the *nagari* government system, according to *tambo adat*.

This study was conducted in 5 (five) *nagaris*, which represent the indigenous communities in West Sumatra consisting of *luhaks* and *rantaus*, as well as *lareh koto piliangs* and *lareh bodi caniagos*. The researched areas were Nagari Balimbiang in Tanah Datar, Nagari Taram in Limopuluah Koto, Nagari Sijunjuang in Sijunjuang, Nagari Lubuak Malako in Solok Selatan, and Nagari Inderapura in Pesisir Selatan. In each of the researched areas, FGDs were conducted with 30 participants consisting of elements from the *nagari* governments, *niniekmamak*, *alim ulama*, *cadiak pandai*, *bondo kanduang*, and youth leaders as *parik paga* in the *nagaris*. The results of the FGDs were then deepened through

in-depth interviews to obtain complete and comprehensive information about the dynamics of the *nagari* governments in the continuously changing state government system. Interviews were conducted with the key figures of each *nagari*, consisting of customary leaders, religious leaders, and intellectuals.

The informants were selected with a snow-ball technique by determining the key informants. The information obtained from the key informants was used as a basis and guide to determine other figures or informants who can provide further information as needed. The key informants were selected based on the depth of their knowledge about various information required and their ability to refer to other informants necessary for the study. The serial process of information collection through informants continued to be carried out until the saturation point. It means that if the information obtained is repetitive and no longer new, then the interview process is considered complete (Azwar, 2018; Azwar et al., 2018, 2019; Denzin & Lincoln, 2009).

Data analysis was carried out through several stages; first, the data obtained through observation and interviews were completed to be compared and tested with those obtained from other informants, through books, documents, and the results of relevant studies, and then divided into categories. Second, the main characteristics of the categories were later identified to find out the similarities and their combination. Third, the categories were connected, resulting in propositions. Fourth, the propositions were connected again to each other to build a final understanding of the *nagari* government models in the Minangkabau customs and then analyzed using related theories to arrive at conclusions. The relevance of this study is that there are an understanding and theoretical explanation of the *nagari* indigenous government models in West Sumatra.

III. RESULTS AND DISCUSSION

A. Democratization and Sovereignty of *Nagaris*

There are some striking similarities between Indonesia's current democratic transition and the experiment over a decade of liberal democracy in the 1950s. The economy is volatile; the armed forces become a potential political force; the parliament and the executive are trapped in a game of overthrowing that results in instability; the constitution is not clear enough in stating the roles of and relations between power holders

and state institutions; and regional chaos threatens fundamental unity of the archipelago. Decentralization becomes essential when the central power realizes that it is increasingly difficult to control a country completely and effectively, or the central government is considered to be too meddling in local affairs. The PRRI and Permesta rebellions in the 1950s were not separation attempts but were attempts to gain local control over local affairs and resources in the country. However, their actions had the opposite effects on the central government. Indonesia has a long history of trials with decentralization, starting in the colonial period with the Dutch East Indies Decentralization Law of 1903 and continuing periodically after that (Amanulloh, 2015).

Democratization is a process of "democratizing" the people so that they can participate in the government representatively or in various social or state activities either directly or indirectly, with equal rights and obligations and fair treatment for every citizen (Amanulloh, 2015; Mariana et al., 2017; Nugroho, 2012). According to Syafie (2001), in terms of implementation, democracy is divided into two models, namely direct democracy and indirect democracy. Direct democracy takes place when people make decisions directly. Indirect democracy is when the people in the exercise of their sovereignty do not directly deal with the executive, but rather through the form of a representative body. In the indirect democratic system, the parliamentary institutions' sensitivity to various matters of social life concerning the government or the state is demanded. Indirect democracy is often referred to as representative democracy (Adian, 2010; Hasanuddin, 2017).

Popular sovereignty is the power that comes from the people. It is not merely a matter of rights or obligations. The sovereignty of the people cannot be reduced to the process of electing and being elected, but rather, the fact that the power of the people can be accepted and exercised in the spirit of local values. The structure of kinship relations within the people is a network of social relations with orderly, organized, and natural interactions among members of the community. This network of social relations underlies the engagement between individuals in a society and is obeyed together because social relations are the basis in maintaining the social life balance of the society itself.

For indigenous communities, sovereignty signifies not only the issue of existence, which contains the value of social capital but also the existence of indigenous communities themselves. In the Minangkabau society, the sovereignty of *nagaris* has long been regulated by customs. The

essence of its sovereignty is that of the people, *anak-kamanakan* in *limbago kaums* or *limbago kampuangs*. The power lies with the people. The source of the power of the indigenous governments, *pangulu*, *datuak*, *rajo* (king) is the people. The initiation of a *pangulu/datuak* must be legitimized by its *kaum*. Therefore, decisions are made by deliberation based on representative principles.

The *nagari* communities are indispensable to building genuine autonomy rooted in local political culture and indigenous wisdom, through deliberative processes in collective decision-making, growing political courage to maintain the rights as indigenous communities. It means that democratization presupposes *nagari's* rights or sovereignty to be maintained, preserved, and protected by the state. The *nagari* communities can also use their sovereignty as a means of community empowerment and development in a better, more advanced, and modern way.

B. Nagari as the "Site" of Modern Democracy

The *nagari* government system assumes that there is a deliberative model as to how every decision of the people is made. It stems from the concept of *kato mupakaek*, which is the basis of management and decision-making in a *nagari*, not the voting system like in the liberal democratic tradition. The tradition of deliberation to reach consensus assumes the involvement of the people in contributing to managing and organizing life together. Decisions and policies are legitimized after going through discursive processes in *nagari's* public spaces.

The tradition of deliberation is a philosophical reflection that is very different from the feudal concept with the patron-client principle. The ideas of equality and fraternity are more dominant in the cultural identity of the Minangkabau society, so that even ownership affairs are attributed to the principle of collectivity, not individuality. As explained by [Vel & Bedner \(2015\)](#), the Minangkabau society always translates new opportunities to returning to the past, to what might appear as a government in the classical indigenous structure. The classical indigenous structure is "longed for" because it has social values and resilience as well as a social system and natural resources that can be managed collectively, freely and independently. It might be the reason that *nagari* is called a "site of modern democracy", the power in which is divided into three branches, namely an executive, a legislature, and a judiciary. The *nagari* government system asserts that *nagari* is an autonomous and

independent region (*adat salingka nagari*) in managing the government and organizing the social system to regulate the life of *nagari* communities in an *adat nan sabatang panjang* frame.

To understand the concept of *nagari* government, it is necessary to pay attention to the *kelarasan* system of the Minangkabau society as a genealogical root of the modern classical government system. Traditionally, Minangkabau is divided into *luhak nan tigo* and *rantau*. *Luhak* is considered to be the original area comprising three areas: *Luhak Tanah Data*, *Luhak Agam*, and *Luhak Limopuluah Koto*. While *rantau* refers to two aspects; first, the new area opened by the Minangkabau people from the three *luhaks* due to the increase in population and economic interest; second, the area that was once subordinate to the Pagaruyuang kingdom. Through the territorial "division" into *luhak* and *rantau*, the government systems in Minangkabau were subsequently classified into two systems, namely democracy and aristocracy.

During the Pagaruyuang reign, *luhaks* and *rantaus* had different government systems, *luhak bapangulu* and *rantau barajo*. The two government systems in Minangkabau derive from the *lareh nan duo* system, consisting of *lareh koto piliang* initiated by *Datuak Katumanggungan* and *lareh bodi caniago* by *Datuak Parpatih nan Sabatang*. According to the *bodi caniago* system, a *rajo* has dominion over a *rantau* area while in the *luhak* area acts only as a symbol, as revealed in *luhak bapangulu-rantau barajo*. The ruler of a *luhak* is *pangulu*. The floor of a *balairung* in *nagari*s with the *lareh koto piliang* system has a raised platform while that in *nagari*s with the *lareh bodi caniago* system is situated at the same level ([Navis, 1984](#)). This traditional government pattern continues to influence the social system of the Minangkabau society, especially in the constellation of customary laws ([Azwar, 2001](#)).

C. The Models of Nagari Indigenous Governments

Most countries in the world adhere to the republican government system, which presupposes the sovereignty of the people. The republic system is led by one head of state called president. It was historically practiced mainly in the Republic of Rome, from 509 BC to 44 BC ([de Josselin de Jong, 1980](#); [Marsden, 1966](#); [Sukmana, 2016](#)). Meanwhile, in the monarchy system, the head of state is a monarch, and the head of government is a prime minister. In a monarchy, a monarch is the symbol of state sovereignty, while a prime minister

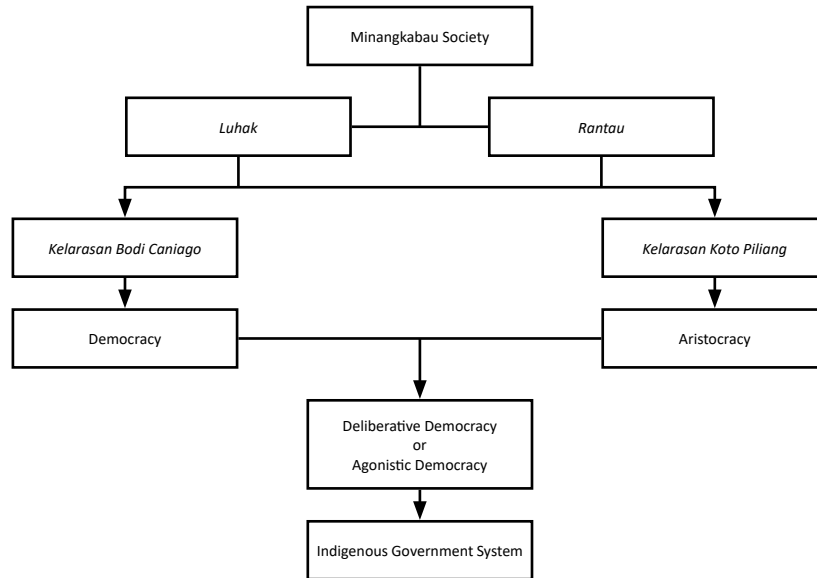


Figure 1. The System of Nagari Indigenous Governments in Minangkabau

is practically more powerful (Dahlan & 'Irfaan, 2014; Fuadi, 2015; Maliki, 2016; Sukmana, 2016; Triwibowo, 2006). Monarchs reign for life, and the power can only pass to their close relatives, family members, or commonly their children.

In the Minangkabau society, the sovereignty of a *nagari* is regulated by customary institutions. The sovereignty is that of the people, *anak-kamanakan* in *limbago kaum/kampung*. The power of the indigenous government (*pangulu/datuak/rajo*) lies with the people. A *pangulu/datuak* is appointed by a *sakato kaum* and consented to by a *mandeh*, the matriarch in a *limbago paruik*. A *rajo* in Minangkabau is appointed by a *sakato alam*. This value is a social capital that grows in local wisdom. Such local wisdom utilizes not only the relationships among the components of trust, networks, and cooperation, as expressed by many experts in developed countries in building local communities (Field, 2009; Ritzer & Goodman, 2012; Vel & Bedner, 2015), but also the form of cultural values (Pranadji, 2006).

Nagari is the lowest government unit in West Sumatra and is a group of Minangkabau people who live according to their customs with their rights. These rights include the right to customary communal land (*hak ulayat*) and the right of origin, which, according to the nomenclature, is older than that of Sumatra. *Nagari* is unique not only historically but also culturally with its supraethnicity. This fact confirms *nagari* as the core of Minangkabau (Azwar et al., 2018, 2019). The customary law communities' collective rights include *tanah ulayat kaum*, *tanah ulayat suku*, and *tanah ulayat nagari*. Although most of the *tanah*

ulayats still exist, some of the rights have been transferred, and some are in civil disputes with other parties. So is the case with their utilization (Akmal, 2008; Kurniawan, 2008; Warman & Andora, 2014).

The Minangkabau indigenous society knows two systems, namely democracy and aristocracy. With these two models, the procedures for community decision-making are also classified into two, "*tagak samo tinggi, duduak samo randah*" and "*bajanjang naiak, batangga turun*". The electoral system embodied in the democratic system presupposes that anyone has the right to become a *wali nagari* or head of *kerapatan adat*, provided that an individual (*anak-kamanakan*) has sufficient prerequisites, excellent capability, and skills, both in customary and non-customary social affairs.

Meanwhile, according to the norm in the monarchy system, the power of a *rajo* passes on to his descendant. Even so, the system of deliberation also cannot be separated from the process of appointing the top leader among *rajos* representing *sukus*.

Lareh means a branch in the indigenous structure. *Lareh nan duo* consists of *lareh koto piliang* and *lareh bodi caniago*. Here are the differences between the two: first, in the *koto piliang* system, the status and authority of *pangulus* are hierarchical, *bajanjang naiak, batangga turun*; while decisions and truths originate from a *rajo*, *titiak nan datang dari ateh* (decisions that come from above). On the contrary, according to the *bodi caniago* system, the status and authority of all *pangulus* are equal, sitting *sahamparan, tagak saedaran; duduak samo randah, tagak samo tinggi* (equally low when

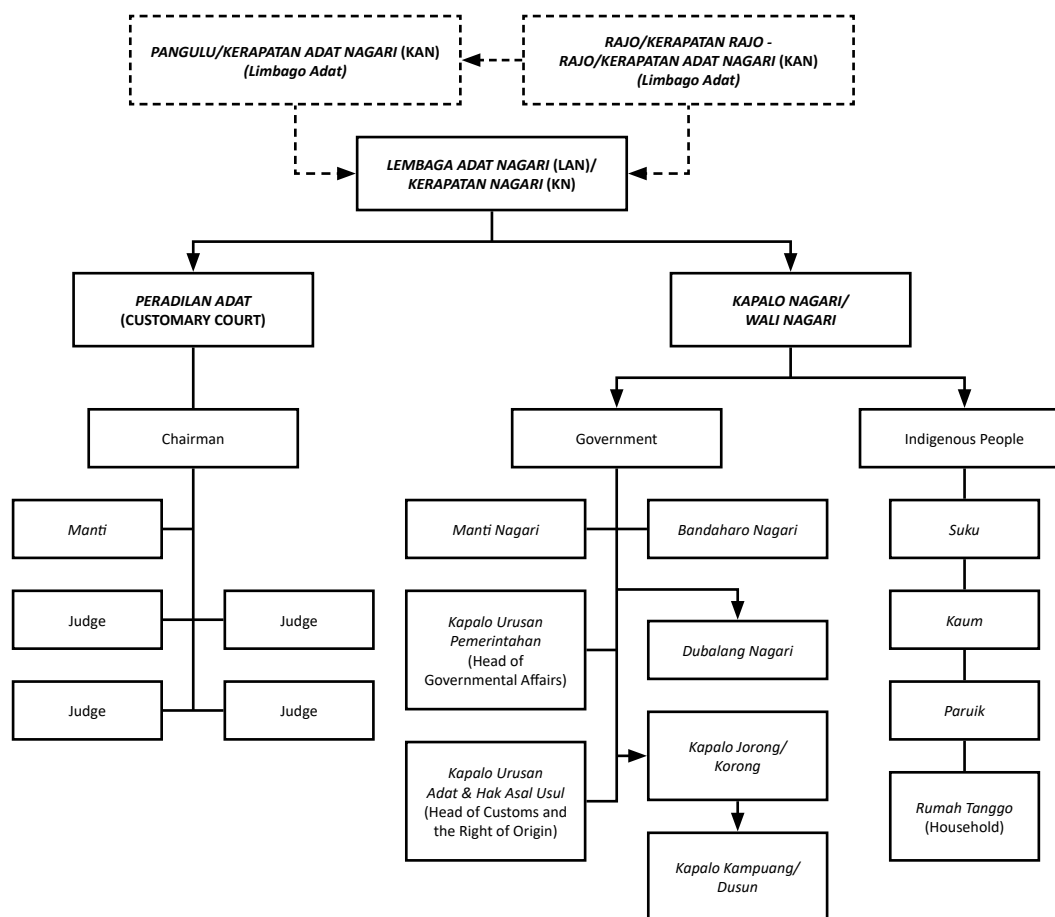


Figure 2. The Models of Nagari Indigenous Governments in West Sumatra as the implementation of Law No. 6 of 2014 and Regional Regulation No. 7 of 2018

sitting, equally tall when standing). It means that *koto piliang* is aristocratic while *bodi caniago* is democratic. Second, the *kelarasan* system divides the Minangkabau *nagaris* into two sides, namely the aristocratic and the democratic sides. But in its development, the democratic *bodi caniago* system is naturally strengthened (Djamra, 2012). It reinforces the argument that the Minangkabau people are typically egalitarian and democratic. This fact also tends to reinforce the view that *koto piliang* is an aristocratic system that Rajo Pagaruyuang Adityawarman tried to instill based on the governmental organization system prevailing in Majapahit.

The power lies with *kerapatan pangulu*, the deliberation of the leaders of the *sukus* forming the *nagari*. Therefore, *nagari* is a federation of *sukus*, a *suku* is a federation of *kaums*, and a *kaum* is a federation of *paruiks*. *Tungganai*, *mamak kaum*, and *pangulu* are leaders in their respective groups and represent their groups in larger social units. The *paruik*, *kaum*, and *nagari* deliberations are the highest authority in the social units concerned.

Through the system formed, *nagari* can be said to be a small autonomous republic in the traditional power system of the Minangkabau society. The highest authority in the *nagari* communities is the truth, the sovereignty of the people, obtained through deliberations involving all social units.

Sociologically, the truth that becomes the authority lies in the deliberation process of the customary council. The power born of deliberation is a philosophical reflection of clear, rational reasoning. The autonomy of socio-political units supported by adequate economic resources, as reflected in the prerequisites for the establishment of a *nagari*, carries a belief in self-power, legal autonomy. In other words, *nagari* as a socio-political entity has three main characteristics, as described above, namely an autonomous, democratic, and decentralized small republic (Abdullah, 1966; de Josselin de Jong, 1980; Djamra, 2012; Marsden, 1966; Oki, 1977).

The models of *nagari* indigenous government as the implementation of Law No. 6 of 2014 concerning Villages can be seen in Figure 2.

Kerapatan adat nagari (KAN) or *rajo/kerapatan rajo-rajo*, depending on the customary system of a *nagari*, is a customary institution (*limbago adat*) that governs the right of origin of the indigenous people in the *nagari*. KAN/*rajo* serves as the highest institution in making every decision and maintaining and passing down the *nagari* customary system and values. Meanwhile, *lembaga adat nagari* (LAN) or *kerapatan nagari* (KN), or another name according to the customary system of a *nagari*, performs legislative functions in the indigenous government system with members consisting of the representatives of *sukus* in the *nagari*. In the governance perspective, LAN/KN has the authority to choose and appoint a *kapalo nagari* as head of government (executive institution). LAN/KN is also authorized to select and designate members of the *peradilan adat nagari* (customary court) as a peace court body at the *nagari* level (judicial institution).

In the *nagaris* adhering to the *lareh koto piliang* system or the monarchy system, the highest authority lies with a *rajo/sultan* while still using the deliberation system as the highest decision-maker, *nan rajo kato baiyo - nan bana kato mupakaek*. A *rajo* does not function to run the government. The government is run by a *kapalo nagari* who is elected in the deliberative *kerapatan adat* and later approved by the *rajo*. *Rajo's* power will be used in a situation where no agreement or decision is reached in a deliberation process, so he exercises his right to decide on a case or make a decision, *gantiang putih - biang cabiak*. It is the uniqueness of the *nagari* aristocracy system in Minangkabau, which continues to prioritize deliberation as a reflection of popular sovereignty.

The models of the *nagari* indigenous government system, as in Figure 2, are the development of *nagari* indigenous governments in West Sumatra. This indigenous government system further strengthens the position of the indigenous people, who inherit the values of their origin and their rights as a customary law society. The system shows a deliberative democratic system which remains firm as a central feature of the Minangkabau people. It is called deliberative democracy, which increases the intensity of the people in expressing their aspirations so that the variety of policies made by the government are closer to the expectations of the people.

Deliberative democracy gives significance to the process or procedures for decision making that emphasizes deliberation and dialogue among the naturally diverse people. People's involvement is the core of deliberative democracy, in contrast to the basic idea of representative democracy,

which emphasizes representation as liberal democracy does. While deliberative democracy prioritizes cooperation among ideas and parties, representative democracy is competition among ideas and parties. However, it is not impossible to apply the concept of deliberation in the representative democracy, in which the people are involved in the decision-making process by representatives through a deliberative process. Therefore, the essential elements of deliberative democracy include the participation of the people, availability of (public) space to be involved in the process, and communication among the people and between the people and policymakers (Haliim, 2016; Hardiman, 2009; Mardiyanta, 2011; Muzaqqi, 2013).

In the *nagari* government system, KAN is an embodiment of local government inherited by the Minangkabau people long before the birth of Indonesia. The *nagari* government reflects the sovereignty of the people, which implies that the highest authority lies with the collective decision of the people. It means that the people rule and govern themselves (Sumodiningrat & Agustian, 2008). As a concept, the *nagari* government system in the perspective of democratic theory has a broad meaning and contains many complex elements (Nugroho, 2012). Democracy is interpreted as a decision-making system in an institution, organization, or state, all of whose members or citizens have equal power. Citizens are allowed to select one of the political leaders who compete for votes (Lehmann, 1990). According to Dahl (1971), there are three characteristics of a democratic state, namely equal rights in making binding collective decisions, effective participation or equal opportunities for all citizens in the collective decision-making process, and the realization of civil and political freedom.

It is in this context that the *nagari* indigenous government system in Minangkabau is interesting, for it contains the values of freedom and equality (Basyaib, 2006). The concept of equality emphasizes that everyone is equal. Such a concept can refer to the ideas of John Locke (Suparto, 2016; Wijaya, 2014). John Locke considers democracy as a government system that can protect the basic rights of every citizen, including their cultural rights.

The democratic system distributes the sovereignty to the hands of all people. Sovereignty itself means the highest authority, which is an indivisible and absolute privilege (Lombok, 2014; Megawati, 2018; Michael, 2016). The concept of sovereignty was then further developed by Montesquieu in his concept of *trias politica*, which is inclined towards the centralized power

distribution to a person or a group of people in power. Montesquieu considers that sovereignty cannot be exercised unless the people have the right to vote in the electoral process, which shows the people's own will (Kusmanto, 2014; Maliki, 2016; Puspitasari, 2001).

The philosophy of democracy basically heeds all "human diversity" and "cultural diversity". In the context of Indonesian society, for example, collectivity is the basis of its unique cultural values. With collectivity, the people tend to prioritize deliberation over voting. Local communities throughout Indonesia are familiar with such a deliberative system under various names. It is called *rembuk desa* in Java, *saniri negeri* in Maluku, *gawe rapah* in Lombok, *kombongan* in Toraja, *paruman* in Bali, *kuppulan* or *kakuppulan* in Lampung, and *kerapatan adat nagari* (KAN) in West Sumatra. The deliberative institution is a primary social capital of democracy, which cannot be ignored as part of the cultural sovereignty of the people of Indonesia.

IV. CONCLUSION

The *nagari* government system is a social force with a double meaning, both as governance and a customary system. The *nagari* government system accommodates two systems that are running simultaneously, namely the state government system and the customary government system in the context of *banagari* life. Before the state was established with the concept of *trias politica* in terms of the distribution of powers, the *nagari* government system in practice had existed with strong social and government systems. Analyzed with Montesquieu's *trias politica* concept, the Minangkabau society has had and applied the power distribution system in the form of an executive, a legislature, and a judiciary before the *trias politica* theory was coined academically, made to be a concept of government, and practiced by the current modern states.

This study found the models of *nagari* indigenous governments in West Sumatra as a result of the local wisdom of the indigenous people addressing the development of state life. These indigenous government models are the implementation of Law No. 6 of 2014 as a form of indigenous village government. In the *nagari* indigenous government models, there is a potent combination of the government system and indigenous institutions, and the main feature of the Minangkabau people as a community that prioritizes deliberation is more apparent. The development of the *nagari* indigenous government models is the application of the system of customary

values and structures to the *nagari* government system. The combination of government and indigenous institutions strengthens the position of the existing indigenous governments and institutions. That is because a *nagari* government runs with the legitimacy obtained from the indigenous people, where the *nagari* government led by a *wali nagari* as an executive institution is the result of deliberation by the indigenous people through the representatives of *sukus* in the *nagari*. This consultative body of *sukus* is culturally recognized by a KAN or a *rajo* or a *kerapatan rajo*. In this indigenous government system, a *wali nagari* serves as both the head of *nagari* government and the *kapalo nagari*. As head of government, a *wali nagari* is in charge of implementing the government system through the *nagari* administration services and development. As *kapalo nagari*, he is tasked with preserving the values of origin, traditional rights of indigenous people, traditional values in the life of *nagari* people, and implementing customary values in the implementation of *nagari* government. Theoretically, this study is expected to be useful for socio-political studies to read the socio-political dynamics of society with ethnic diversity with diverse customary systems, then to formulate appropriate democratic and governance systems.

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V. REFERENCES

- Abdullah, T. (1966). Adat and Islam: An Examination of Conflict in Minangkabau. *Indonesia*, 2, 1-24. <https://doi.org/10.2307/3350753>
- Adian, D. G. (2010). *Demokrasi Substansial: Risalah Kebangkrutan Liberalisme*. Koekoesan.
- Aermadepa. (2016). *Perlindungan Hak Konstitusional Masyarakat Hukum Adat Minangkabau dalam Pelaksanaan Gadai Tanah*

- Pertanian. *Jurnal Konstitusi*, 13(3), 597–612. <https://doi.org/10.31078/jk1336>
- Akmal. (2008). Perlindungan Hak Masyarakat Hukum Adat di Sumatera Barat. *Jurnal Demokrasi*, 7(1), 1–16. <http://ejournal.unp.ac.id/index.php/jd/article/view/1142>
- Amalia, A. D., & Syawie, M. (2015). Pembangunan Kemandirian Desa Melalui Konsep Pemberdayaan: Suatu Kajian dalam Perspektif Sosiologi. *Sosio Informa*, 1(2), 175–188. <https://ejournal.kemsos.go.id/index.php/Sosioinforma/article/view/146>
- Amanulloh, N. (2015). *Demokratisasi Desa*. Kementerian Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia.
- Azwar, W. (2001). *Matrilokal dan Status Perempuan dalam Tradisi Bajau: Studi Kasus tentang Perempuan dalam Tradisi Bajau*. Galang Press.
- Azwar, W. (2018). The Resistance of Local Wisdom Towards Radicalism: The Study of the Tarekat Community of West Sumatra, Indonesia. *PERTANIKA Journal Social Sciences & Humanities*, 26(1), 75–102. [http://www.pertanika.upm.edu.my/Pertanika PAPERS/JSSH Vol. 26 \(1\) Mar. 2018/05 JSSH-1622-2016-3rdProof.pdf](http://www.pertanika.upm.edu.my/Pertanika PAPERS/JSSH Vol. 26 (1) Mar. 2018/05 JSSH-1622-2016-3rdProof.pdf)
- Azwar, W., Muliono, Permatasari, Y., Akmal, H., Ibrar, S., & Melisa. (2019). Nagari Customary Justice System in West Sumatra. *Jurnal Bina Praja*, 11(1), 53–62. <https://doi.org/10.21787/jbp.11.2019.53-62>
- Azwar, W., Yunus, Y., Muliono, & Permatasari, Y. (2018). Nagari Minangkabau: The Study of Indigenous Institutions in West Sumatra, Indonesia. *Jurnal Bina Praja*, 10(2), 231–239. <https://doi.org/10.21787/jbp.10.2018.231-239>
- Basyaib, F. (2006). *Teori Pembuatan Keputusan*. Grasindo.
- Dahl, R. A. (1971). *Polyarchy: Participation and Opposition*. Yale University Press.
- Dahlan, A., & 'Irfaan, S. (2014). Mengagas Negara Kesejahteraan. *El-Jizya: Jurnal Ekonomi Islam*, 2(1), 1–22. <https://doi.org/10.24090/ej.v2i1.2014.pp1-22>
- de Josselin de Jong, P. E. (1980). *Minangkabau and Negri Sembilan*. Springer Netherlands. <https://doi.org/10.1007/978-94-009-8198-0>
- Denzin, N. K., & Lincoln, Y. S. (2009). *Handbook of Qualitative Research* (N. K. Denzin & Y. S. Lincoln (eds.)). SAGE.
- Djamra, N. S. (2012). Nagari di Titik Nadir: Rapuhnya Institusi Sosial & Kultural Masyarakat Minangkabau. In B. R. Ahmad, Syaiful, Tamrin, Irawati, & A. Rusta (Eds.), *Dari Desa ke Nagari: Pelaksanaan Otonomi Daerah di Sumatera Barat* (pp. 1–20). Laboratorium Ilmu Politik Jurusan Ilmu Politik Fakultas Ilmu Sosial dan Ilmu Politik Universitas Andalas.
- Field, J. (2009). *Modal Sosial*. Penerbit Kreasi Wacana.
- Fuadi, A. (2015). Negara Kesejahteraan (Welfare State) dalam Pandangan Islam dan Kapitalisme. *JESI (Jurnal Ekonomi Syariah Indonesia)*, 5(1), 13–32. [https://doi.org/10.21927/jesi.2015.5\(1\).13-32](https://doi.org/10.21927/jesi.2015.5(1).13-32)
- Gerald, G. (2017). SOBO PENDOPO DIALOGUE: Manifestation of Deliberative Democracy in Bojonegoro Regency. *Sosiologi Reflektif*, 12(1), 37–54. <https://doi.org/10.14421/jsr.v12i1.1315>
- Haliim, W. (2016). Demokrasi Deliberatif Indonesia: Konsep Partisipasi Masyarakat dalam Membentuk Demokrasi dan Hukum yang Responsif. *Masyarakat Indonesia*, 42(1), 19–30. <http://jmi.ipk.lipi.go.id/index.php/jmiipks/article/view/556>
- Hanani, S., & Aziz, R. A. (2009). Rekonstruksi dan usaha penyelamatan tradisi lokal era pasca sentralisme di Indonesia. *Geografika*, 5(2), 68–81. <http://ejournals.ukm.my/gmjss/article/view/17905>
- Hardiman, F. B. (2009). *Demokrasi Deliberatif: Menimbang "Negara Hukum" dan "Ruang Publik" dalam Teori Diskursus Jürgen Habermas*. Kanisius.
- Hasanuddin. (2017). *Nilai dan Karakter Budaya*. https://www.researchgate.net/publication/326580891_Nilai_dan_Karakter_Budaya_Indonesia
- Kurniawan, J. A. (2008). Hukum Adat dan Problematika Hukum Indonesia. *Yuridika*, 23(1). <http://blog.umy.ac.id/septine/files/2012/05/hukum-adat-dan-problematika-hukum-indonesia1.pdf>
- Kusmanto, H. (2014). Partisipasi Masyarakat dalam Demokrasi Politik. *JPPUMA*, 2(1), 78–90. <https://ojs.uma.ac.id/index.php/jppuma/article/view/582>
- Lehmann, D. (1990). *Democracy and Development in Latin America: Economics, Politics and Religion in the Post-war Period*. Polity Press.
- Lombok, L. L. (2014). Kedaulatan Negara vis a vis Keistimewaan dan Kekebalan Hukum Organisasi Internasional dalam Sebuah Intervensi Kemanusiaan. *Pandecta: Research Law Journal*, 9(1), 50–75. <https://doi.org/10.15294/pandecta.v9i1.2853>
- Maliki, Z. (2016). *Sosiologi Politik: Makna Kekuasaan dan Transformasi Politik*. UGM Press.

- Mardiyanta, A. (2011). Kebijakan Publik Deliberatif: Relevansi dan Tantangan Implementasinya. *Media Masyarakat, Kebudayaan Dan Politik*, 24(3), 261–271. https://www.academia.edu/12552894/Kebijakan_Publik_Deliberatif_Relevansi_dan_Tantangan_Implementasinya
- Mariana, D., Yudatama, I., Fitrianingrum, N., Angga, R. D., Pranawa, S., Yulianto, S., Sukasmanto, Zamroni, S., & Hariyanto, T. (2017). *Desa: Situs Baru Demokrasi Lokal* (F. G. A. Nasution (ed.)). Institute for Research and Empowerment (IRE).
- Marsden, W. (1966). *The History of Sumatra* (3rd ed.). Oxford University Press.
- Megawati. (2018). Negara Demokratis dalam Perspektif Transendental (Studi terhadap Landasan Kedaulatan Rakyat dalam Sistem Perwakilan di Indonesia). *Prosiding Seminar Nasional 2018*, 191–200. <http://hdl.handle.net/11617/9696>
- Michael, T. (2016). Memaknai Pemikiran Jean-Jacques Rousseau tentang Kehendak Umum Menciptakan Keadilan. *Proceeding SENDI_U*, 528–534. <https://www.unisbank.ac.id/ojs/index.php/sendu/article/view/4236>
- Mouffe, C. (1999). Deliberative Democracy or Agonistic Pluralism? *Social Research*, 66(3), 745–758. <https://www.jstor.org/stable/40971349>
- Muzaqqi, F. (2012). Musyawarah Mufakat: Gagasan dan Tradisi Genial Demokrasi Deliberatif di Indonesia. *Jurnal Politik Indonesia*, 1(2), 21–30. <http://journal.unair.ac.id/JPI@musyawarah-mufakat--gagasan-dan-tradisi-genial--demokrasi-deliberatif-di-indonesia-article-5256-media-142-category-142.html>
- Muzaqqi, F. (2013). Diskursus Demokrasi Deliberatif di Indonesia. *Jurnal Review Politik*, 3(1), 123–139. <http://jurnalfuf.uinsby.ac.id/index.php/JRP/article/view/1040>
- Navis, A. A. (1984). *Alam Berkembang Jadi Guru: Adat dan Kebudayaan Minangkabau*. Grafitipers.
- Nugroho, H. (2012). Demokrasi dan Demokratisasi: Sebuah Kerangka Konseptual untuk Memahami Dinamika Sosial-Politik di Indonesia. *Jurnal Pemikiran Sosiologi*, 1(1), 1–15. <https://doi.org/10.22146/jps.v1i1.23419>
- Oki, A. (1977). *Social change in the West Sumatran village: 1908-1945* [Australasian National University]. <https://doi.org/10.25911/5d74e0b56e7ed>
- Pamungkas, C. (2017). Noken Electoral System in Papua Deliberative Democracy in Papuan Tradition. *Jurnal Masyarakat Dan Budaya*, 19(2), 219–236. <https://doi.org/10.14203/jmb.v19i2.389>
- Pranadji, T. (2006). Penguatan Modal Sosial untuk Pemberdayaan Masyarakat Pedesaan dalam Pengelolaan Agroekosistem Lahan Kering (Studi Kasus di Desa-desa (Hulu DAS) Ex Proyek Bangun Desa, Kabupaten Gunungkidul dan Ex Proyek Pertanian Lahan Kering, Kabupaten Boyolali). *Jurnal Agro Ekonomi*, 24(2), 178–206. <https://doi.org/10.21082/jae.v24n2.2006.178-206>
- Puspitasari, S. H. (2001). Kontektualisasi Pemikiran Machiavelli tentang Kekuasaan-Tujuan Negara. *Jurnal Hukum IUS QUIA IUSTUM*, 8(18), 30–45. <https://doi.org/10.20885/iustum.vol8.iss18.art3>
- Ritzer, G., & Goodman, D. J. (2012). *Teori Sosiologi Modern*. Kencana Prenada Media.
- Sukmana, O. (2016). Konsep dan Desain Negara Kesejahteraan (Welfare State). *Jurnal Sosial Politik*, 2(1), 103–122. <https://doi.org/10.22219/sospol.v2i1.4759>
- Sumodiningrat, G., & Agustian, A. G. (2008). *Mencintai Bangsa dan Negara: Pegangan dalam Hidup Berbangsa dan Bernegara di Indonesia*. ARGA.
- Suparto. (2016). Pemisahan Kekuasaan, Konstitusi dan Kekuasaan Kehakiman yang Independen menurut Islam. *Jurnal Selat*, 4(1), 115–129. <https://ojs.umrah.ac.id/index.php/selat/article/view/154>
- Syafie, I. K. (2001). *Pengantar Ilmu Pemerintahan*. Refika Aditama.
- Triwibowo, D. (2006). *Mimpi Negara Kesejahteraan: Peran Negara dalam Produksi dan Alokasi Kesejahteraan Sosial*. LP3ES.
- Vel, J. A. C., & Bedner, A. W. (2015). Decentralisation and village governance in Indonesia: the return to the nagari and the 2014 Village Law. *The Journal of Legal Pluralism and Unofficial Law*, 47(3), 493–507. <https://doi.org/10.1080/07329113.2015.1109379>
- Warman, K., & Andora, H. (2014). Pola Hubungan Hukum dalam Pemanfaatan Tanah Ulayat di Sumatera Barat. *Mimbar Hukum*, 26(3), 366–381. <https://doi.org/10.22146/jmh.16031>
- Wijaya, D. N. (2014). John Locke dalam Demokrasi. *Jurnal Sejarah Dan Budaya*, 8(1), 13–24. <http://journal.um.ac.id/index.php/sejarah-dan-budaya/article/view/4751>