Adat and Civil Society in West Sumatra

Paper to be presented at the Simposium Internasional II
Globalisasi dan Kebudayaan Lokal: Suatu Dialektika Menuju Indonesia Baru
Jurnal Antropologi Indonesia
Padang, 18-21 July 2001

Renske Biezeveld
Erasmus University, Rotterdam, The Netherlands[1]
(first draft, do not quote)

Introduction

The events of 1988, especially the demise of the Orde Baru, have led to changes of many parts of life in Indonesia. One thing was a restructuration of the economy. Something else was a search for new ways of ruling the country. A call for "*reformasi*" was heard all over the country. This meant in the first place a call for democratisation and an end to practices of KKN. The direction of this *reformasi* was however not clear to many people. During the 32 years of new order political parties had been virutally absent and the development of organisations that could constitute a strong civil society had been discouraged. In the absence of these powers some people suggested a re-institution of *adat* institutions as a solution. During research that I conducted in 1998 I already notice that a discussions was coming up about a renewed role of *adat* in government. Other people however opposed a stronger role of *adat* leaders on the grounds that it was not clear who would be represented by *adat*. They argued that *adat* was old-fashioned and that instead the creation/development/strengthening of civil society would constitute a better solution.

Especially in the contemporary Indonesian situation, where processes of fragmentation and regionalisation are on the way, the question is whether civil society acts mainly on the local, regional or national level. One of the questions that I had hoped to answer before coming to this conference is the question of who are the people who favour either

[1] email: biezeveld@frg.eur.nl

adat or a more—Indonesia wide civil society movement? By answering this question it would already become a bit more clear what they hope to gain for the solution they chose, and how they would conceive it to be worked out.

Civil society has become a popular theme over the past few years, not only in Indonesia, but world-wide. Some assumptions form the background for this increased interest in the role of NGO's/civil society. Democratisation, the withdrawal of government agencies from tasks formerly considered the responsibility of the state (like welfare), and in general lack of trust in governments mean that people put high expectations on civil society. Civil society is presented as the solution to many problems in society. The term is however an umbrella-concept under which a very diverse set of organisations is placed. Different organisations that together form 'civil society' have often different, opposite goals and ideas. They also very in the level of democratic structure and openness to other organisations with similar goals. Civil society is not necessarily a harmonious sphere in which there are no conflicts (Soesastro 1999:259).

The effectiveness of civil society depends on the way it is grounded at the local level. Many NGO's have strong organisations at national level, but they do not reach the grassroots. When I read books about civil society in Indonesia, I read a lot about the national level but I am left in the dark about what exactly is happening in the villeges. Civil society includes organisations that are not NGO's in the sense commonly used. Peasants that organise themselves to defend their land rights or to demand for a fair compensation for the land used for development projects are often overlooked (Soesastro 1999:259).

Although when reading books about civil society in Indonesia I read mainly about the national level, it is probably true what Riddell and Robson write, i.e. that a typical southern NGO is a small agency with a handful of staff working in a cluster of villages in a particular locality. Relatively few NGO's possess the staff or financial resources to work intensively at regional or national level, although it is these organisations which are the best known in government and donor circles. Most of these NGOs are engaged in promoting selft-help activities, service provision, community organisation and poverty

alleviation with funding from foreign NGOs and, in some cases, government sources (Riddell & Robinson 1995:33).

A first important distinction that should be made when talking about the role of NGO's in the development of national…..is between NGO's that aim at poverty alleviation and those that aim at empowerment and conscious raising of the population.

Participation, flexibility, commitment and a social dimension have led to a re-examination of the non-governmental sector which, on the face of it, has considerable advantages over governments and official agencies in addressing poverty. The sector has a tradition of selectively working with the poor (and has the ability to exclude the non-poor in ways that governments-with more universal responsibilities-cannot); it has a relative emphasis upon small-scale projects; and it has a tradition of voluntarism and ethics as a basis for its activities. Thus NGO's have come to be seen as the natural partners of the rural poor (Howell 1995:viii).

In this paper I will analyse the role that *adat* has played in West Sumatra over the past century, and the different ways in which groups of people within West Sumatra have experienced this. West Sumatra is often seen as a relatively homogeneous region with regard to culture and *adat*, compared to other regions. The large majority of people belong to the ethnic Minangkabau, and the large majority adhers to the Islamic region. Their idea of a shared identity as Minangkabau is strong. This does however not mean that there are not different opinions within West Sumatra as to the role *adat* should play in daily life.

I will also say something about civil society, although I must admit that I am not very familiar with most of the NGO's that are at this moment active in West Sumatra. Probably since 1998, when I did my last period of fieldwork, many new groups will have emerged. This paper will therefore raise more questions than it is going to answer. I thing however that is important to pay attention to how much is still unclear in debates that are going on in Indonesia at this moment. Before I continue I will remark that the meaning of both *adat* and civil society is manyfold. What is meant by the one or by the other is not for every person using them the same.

It is equally unclear whether they indeed form two opposing forces. It is well conceivable, and in fact I saw beginnings of examples of NGO's basing itself on adat, at least in their speech.

The meaning of adat in past and present

Adat in the definition of Abdullah (1966) can mean on the one hand the local custom; on the other hand, it is conceived as the whole structural system of the society, of which local custom is only a component. Adat in this second sense is supposed to form the entire value system, the basis of all ethical and legal judgement, as well as the source of social expectations. In short, it represents the ideal pattern of behaviour (Abdullah 1966:1). It is important to remember that adat is an adaptive and dynamic tradition. It has always been flexible, not a fixed set of rules. In West Sumatre to some extent every village (nagari) used to have its own *adat*, that differed slightly from other nagari (Abdullah 1971, 1985). Although local *adat* is still to some extent recognisable, the contemporary situation sees a decline in the detailed knowledge of local *ada*t an da shift towards a kind of unification of *adat*. Village youth do not want to study *ada*t in depth anymore but children have to study *adat* in school, as part of the study of 'culture'. What they learn there is however a reflection of the 'unitary *adat*' as it is approved by the government-appointed *adat* specialists from the LKAAM.[2] The LKAAM is an institution at the level of the province. It was formed in 1970 by a group of educated, urban *panghulu*, many of whom held state office, for the purpose of preserving and disseminating information about Minangkabau *adat*. The LKAAM has always worked under state auspices, although since the start of the reformasi they seem to have become more critical than they used to be (Blackwood 1995:143, Kahin 1999). A third reason is that supra-*nagari* entities try to understand *adat*, and make it applicable in for example state court. This process has already been under way since colonial times (K von Benda-Beckmann 1984:4,5,41-44). In Minangkabau *adat*, as in most *adat* systems, there is no conception of '*adat* law'. The term *adat* law is a Dutch invention. In van Vollenhoven's writings it was designed torelate to the law in *adat*. Although it was never the intention of van Vollenhoven, in the course of time, the law in *adat* was gradually transformed into a

---

[2] LKAAM means Lembaga *Kerapatan Adat Alam Minangkabau*, the adat council for The Minangkabau

separate category, *adat* law that came to be interpreted and applied in a context of western legal thinking. This *adat* law is partly different from the *adat* that is used in villages, but over time it has influenced the *adat* as used in villeges as well (F&K von Benda-Beckmann 1985:239-241).

Within a village there are furthermore different groups of persons who use a different definition of *adat*. For some people, especially young people who had spent a long time away from the village, *adat* is everything that could be labelled 'traditional' or even 'backward', whether you talk about rather formal rules concerning land rights and inheritance for example, or about nations concerning 'propriety' or equitability. For others the concept of *adat* is much more limited, to the extent that they even would hesitate calling kinship metters *adat*, since they are normally not handled within the *adat* council (KAN). This distinction is in my opinion crucial for a correct understanding of what different groups of people mean by *adat*.

Adat and Islam in Minangkabau contain dimensions that seem contradictory and to some extent have to be reconciled. On both the level of normative ideology and the level of social practice (von Benda-Beckmann 1988:198) Matrilineality is the most obvious example of these contradictions. Although nowadays people make great effort to show that the relationship is not problematic anymore, this is far from true. The relationship between *ada*t and Islam in West Sumatra has a long history of debate and even struggle to determine which will be dominant. There are two visions concerning the relationship between *adat* and Islam. The first one says *'adat basandi syarat, syarat basandi kitab'ullah'* which means that Islam is dominant over *adat*. The second vision says 'a*dat basandi syarat, syarat basandi adat'* which means that they mutually influence each other. At this moment the large majority of people seems to adhere to the first vision. Islam in West Sumatra knows different streams. After the end of the Padri-war in 1837 Islam continued to be incorporated in *adat*. Religious taxes were paid to the official religious personnel in the *adat* hierarchy and religious functions like *khatib* and *imam* were hereditary positions within lineages. Apart from these in *adat* incorporated religious functionaries, there were independent *tarekats* that had founded schools in the rural areas and that were relatively independent economically and politically. Inheritance of both

property and control of the schools was patrilineally. In general the relationship between these schools and the *nagari* was notadversal but there was some kind of mutual accomodation. At the end of the 19th century the *adat* officials started to lose part of their authority because of their co-optation by the colonial government. This initially increased the prestige of the independent Islamic leaders of the *tarekat*. Opposition arose however against the mystic Sufi practices of the *tarekat*. By the beginning of the 20th century the *tarekat* were opposed by the *kaum muda*. The *kaum muda* promoted a modernist Islam, free from mysticism, that could accommodate the 'modes of thought and social organisation of the contemporary industrialist capitalist era, while at the same time defending the purity of faith'. It looked to modern mass social and political associations (young 1994:84-132). The religious development in the beginning of the 20th century had large political impact and also were an impetus for the development of education in West Sumatra, which placed the region ahead of other regions in Indonesia at the time of independence.

Exclusion by *adat* leders, therefore loss of legitimacy

Compared to other regions in Indonesia, rural West Sumatra is still relatively homogeneous. Most people belong to the ethnic Minangkabau, which makes the role of *adat* more feasible than it would be in other parts of the archipelago. The fact that Islam was better able than adat functionaties to extend their influence outside the villege, and even outside the Minangkabau region already important in the 1920s, and the problem for adat leaders has only increased over the years. Although in the practice of for example land rights and inheritance *adat* still plays a clear role, many Minangkabau people, especially those who do not have a clearly defined position in *adat*, say that they indentify more with religion than with *adat*. Political parties with an Islamic background are chosen by a large majority of the Minangkabau.

Adat can be studied from various perspectives. A first perspective is diachronic. One could take into account all factors that have influenced *adat* over time, starting with the arrival of Islam, and continuing with colonial influence and influence after independence. This brings in anotion of legal pluralism (K. von Benda-Beckmann 1984, 1997). For some people, the fact that the *adat* that can be found nowdays has been influenced by

some many outside factors is a reason to discard the whole concept. But as I said before, one of the characteristics of *adat* has always been its flexibility. It is questionable however whether people who invoke *adat* are willing to acknowledge this flexibility, or that for them status quo is more important. When negotiating with government it is probably important to show a strong idea of what one wants, so that flexibility will not add much to be the credibility of *adat* leaders.

A second way of looking at *adat* is through a detailed study of all the rules that are made by *adat.* Rules concerning kinship and marriage, rules concerning land rights and rules concerning inheritage for example have all been worked out in a very detailed way, and one has to study a*dat* for years to get a complete picture of them.

The third way of looking at *adat* is to see it as a source of power, that can include some people and exclude others. *Adat* functionaries are appointed for their inherited place in *adat.*

The last way of looking is to see *adat* as a means to unite people, to give them an identity. In this last way of looking at *adat* it is not the detailed rules from *adat*, but more the core values represented in *adat* that are important. Matrilineality as such is recognised as an important dimension of *adat,* but the meticulous ways in which inheritance rules are formulated in *adat* are less ….. islam in this way of looking at *adat* is at least as important for the constitution of Minangkabau as a '*masyarakat adat'* as is matrilineality. If I am not mistaken, the call for a revival of *adat* at this moment is often done by people who do not have a position in *adat* themselves, and who probably have a democratic ….. installing *adat* in the old way, with the privileges for *panghulu* and the exclusion of other groups of society would be againts the ideals of these people. Although of course also in the old Minangkabau there was space for so called '*cerdik pandai*'. But the problem of the 1920s, of people feeling excluded by *adat* would still be present.

Adat as a means for local empowerment is however something different, although it may prove difficult to sell when a modern turn is given to it. People may claim rights to land basing themselves on the fact that they form an *adat* community, whereas at the same time, when you look at their society they do not resemble pictures from old days. This has already quit often been reason to deny communities their rights.

The role of adat in daily life

In research that I conducted before I studied 'social security' in West Sumatra. The aime is to find or create institutions that can enhance the social security and livelihood situation of people. One of my questions was what or who would constitute the most important source for assistance and support. I looked whether there was a role for *adat* or for other organisations and my conclusion was actually that this role was very limited. Although *adat* morality that can be found in books talks about solidarity, the dealings of *adat* leaders in daily practice is often far remove from this. An example of this I found when the people from my research village to struggle for a piece of communal village land (*tanah ulayat*) that had been expropriated by the state. When the villagers first started their struggle in 1996, the meaning of land for livelihood was not very big. Therefore it was mostly small farmers who were interested. The village *adat* leaders only supported this struggle to enhance their prestige in the village, and to show a social face. When the struggle however succeeded after the star of the KrisMon in 1997, the role of land had increased significantly, because of the high price of export crops that could be cultivated on the land. At that time the village leaders forgot about the needs of their poor co-villagers and claimed the land for themeselves, arguing that they had been the ones who had struggled, and furthermore that they had been the ones who had struggled, and furthermore that they had the means to make the necessary investments to use the land in an efficient way (cf.Biezeveld 1999)

When we talk about social security (*jaminan sosial*) what are we talking about? Is it charity, poverty alleviation?

To make *adat* important one has to determine what are the core values in a certain *adat* and how they respond to the needs of a contemporary community. Not only the core values are however important, also the institutional structures that should implement them. In what way could *adat* communities manage to implement their values? In Sungai Kamuyang adat leaders expressed their concern with local poor, but in practice often looked more at their own interests. What is interesting is the fact that the successful migrants from the community, through the connection they feel with their village, are

more willing to spend money and effort on community development. The same is seen in other parts of West Sumatra. Can we call this *adat*? In any case, it shows that mobilisation of resources for the own community is easier than for some abstract national NGO. It is probably a matter of trust. As I said before, we should make a distinction between *adat* as a set of rules according to which a society could be organised, with the more general feeling of oneness of people of the same ethnic or cultural background. The use of ethnicity is a way of organising people, but has subsequently not much to do with traditonalism.

There are fields of social life where *adat* can clearly play a role. *Adat* can play most clearly a role, and probably a role that other organisations cannot play, in defending the rights to natural resources, against agents from outside, most specifically the state but also big companies. Many resources, communal land, water sources, forest were expropriated by the Suharto regime. Already during the last years of the Suharto government local communities started to reclaim their resources, but their struggle intensified after the start of the reformasi. *Adat* argumentation seems to be the best way to contest these expropriations and to reclaim rights for the local population. The *masyarakat adat* may prove an effective weapon. But here the problem only starts. As I was able to observe for myself, once a village community has managed to regain rights to land, the next question that has to be addressed is how to devide these rights among the local population. Internal division is as important for an equitable division of land.

Are civil society and adat two opposing concepts?
What I saw in october 1998 was that many NGO's based themeselves on *adat* as their leading principle. Since other forms of organisation were absent, given the fact that during the 32 years of new order rule it has been very difficult for people to organise, *adat* was something that people knew and that sounded reliable. Soon however, doubts arose as to whether indeed adat was appropriate to deal with many issues. Who is represented by adat is one of the first questions that has to be asked. When we look back at historical developments in West Sumatra, we see that in the past many groups have tried to separate themeselves from adat because they felt they were not represented by

adat. Within *adat* circles itself there were also many distinctions. Some adat leaders associated themeselves with political parties, acknowledging that for *adat* to be effective they had to widen their scope beyond the boundaries of their own villages, to which they were traditionally restricted. Already in colonial times some efforts were made to extend actions beyond the boundaries of the *nagari*. This process continued after independence. The role that *adat* could play in this appeared to be limited.

Conclusions

Indonesia is at this time facing many problems at the same time. While the country is facing serious economic problems, at the same time it has to address political problems and governance problems. The country is facing a process of disintegration. Provinces and regions are calling for more autonomy, which was granted to them by way of law 22 on otonomi daerah. In this light we must see the increased use of *adat*. On the other hand the country is looking for things that still bind the regions together. For many people this could be Islam, and Islamic NGO's are indeed active in many fields. Not all Indonesians are however represented by this. It is therefore suggested that there could be other things that could unify the country (cf. Boelstroff 2001).

Many issues have to be addressed in this period of turmoil, many issues in which NGO's could play an important role, but where the state of old is also expected to play a role. Environmental protection is one such issue where NGO's have always played a role. Something else is social security/welfare. Although there are many NGO's that operate on the national level, there are many moreNGO's that operate on the regional or local level, and adat is one of their instruments. Civil society is thus not automatically about nationality, about crossing the borders between ethnicities.

We have to recognise that in Indonesia at this moment, like in many other countries, the solidairty with the own group is one of the strongest organising and mobilising principles. Is it one of the aims of NGO's to motivate people to look beyond these borders? If that is the case they have the same goals as the Indonesian government has had since independence, and it contradicts the recent developments toward decentralisation. Would it be a sign of emancipation if people started to look beyond these boundaries?

References

Abdullah, T 1996 *Adat and Islam: an examination of conflict in Minangkabau*, in: Indonesia, no.2 1-24

Abdullah 1971

Abdullah 1985

k. von Benda-Beckmann 1984 *The broken stairways to consensus: Village justice and state courts in Minangkabau*. Dordrecht, Foris

f & K von Benda-Beckmann 1985 *Transformation and change in Minangkabau* in: Change and continuity in Minagkabau: Local, region and historical perspectives on West Sumatra, Ohio University (also published in K. von Benda-Beckmann 1984:149-181)

f & K von Benda-Beckmann 1988 *Adat and religion in Minangkabau and Ambon* in: Time past, time present, time future, perspectives on Indonesian cultures, essays in honour of Professor P.E. de Josselin de Jong, BKI 131, Foris Publications, Dordrecht

f & K von Benda-Beckmann 1985/7?????? *Rural populations, social security and legal pluralism in the Center Moluccas of Eastern Indonesia* in: Dixon & Scheurell (ed) Social security programs, a cross-cultural comparative perspective

Biezeveld 1999 *Nagari, state and communal land* paper presented at the conference on legal complexity and natural resource management, Padang, Indonesia

Blackwood 1995 *Senior women, model mothers and dutifull wives: managing gender contradictions in a Minangkabau village*

Boellstroff 2000 *A new archipelago concept for the Era Reformasi?* Antropologi
Indonesia, th xxiv, no 63, pp 109-116

Kahin 1999 *Rebellion to integration; West Sumatra and the Indonesian polity*
Amsterdam University Press

Ridell and Robinson 1995 *Non-governmental organizations and rural poverty alleviation*
Clarendon Press, Oxford

Soesastro 1999 *Civil society and development: the missing linK* in the Indonesian
Quarterly, vol. XXVII/1999, no 3

K.Young 1994 *Islamic peasants and the state, the 1908 anti-tax rebellion in West
Sumatra* monographs 40/yale southeast asia studies, yale center for internasional
area studies

Emerging civil society in Asia-Pacific Community