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FUNCTION OF THE NAGARI CUSTOMARY DENSITY (KAN) IN TANJUNG NAGARI, SUNGAYANG DISTRICT, TANAH DATAR REGENCY

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Abstract

This research is motivated by the important role of Kerpatan Adat Nagarari (KAN) in maintaining and preserving traditional and cultural values so that they remain alive in the midst of diversity and changes in social values in Nagari Tanjung, Sungayang sub-district. The aim of this research is to determine the function of KAN Nagari Tanjung, Sungayang sub-district. This research is qualitative research with a descriptive method, because it tries to describe and realistically describe a situation as it is. The data collection techniques used were interviews, observation and documentation studies. Next, the data was analyzed through a qualitative model. From the results of the research, it can be concluded that the function of KAN Nagari Tanjung, Sungayang sub-district is a) organizer, administrator and traditional manager of KAN Nagari Tanjung, b) institution for the guidance, development and protection of traditional values in all sectors of community life in Sangatta Nagari Tanjung. c) Providing position law according to custom in civil matters, especially sako, pusako and ulayat disputes in the village of Tanjung.

Keywords: Nagari Traditional Density, Customs, Ulayat, Cultural Values, Nagari Tanjung

Abstract

Penelitian ini dilatarbelakangi pentingnya peran Kerpatan Adat Nagarari (KAN) dalam menjaga dan melestarikan nilai-nilai adat dan budaya agar tetap hidup di tengah kemajemukan, dan perubahan nilai-nilai sosial kemasyarakatan di nagari tanjung kecamatan sungayang. Tujuan penelitian ini diantaranya mengetahui fungsi KAN nagari tanjung kecamatan sungayang. Penelitian ini merupakan penelitian kualitatif dengan metode deskriptif, karena berusaha menggambarkan dan mendiskripsikan secara nyata tentang suatu keadaan sebagaimana adanya. Teknik pengumpulan data yang digunakan adalah wawancara, observasi, dan studi dokumentasi. Selanjutnya data dianalisis melalui model kualitatif. Dari hasil penelitian dapat disimpulkan fungsi KAN nagari tanjung kecamatan sungayang yaitu a) Penyelenggara, pengurus dan pengelola adat salingka nagari KAN Nagari Tanjung b) lembaga pembinaan, pengembangan dan perlindungan nilai-nilai adat istiadat dalam semua sektor kehidupan masyarakat salingka Nagari Tanjung c) Memberikan



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kedudukan hukum menurut adat dalam keperdataan terutama persengketaan sako, pusako, dan ulayat salingka nagari Tanjung.

Kata kunci: Kerapatan Adat Nagari, Adat Istiadat, Ulayat, Nilai-nilai Budaya, Nagari Tanjung

1. INTRODUCTION

The people of West Sumatra Province are known as a society that still adheres to its traditional culture, namely, Minangkabau Customs or Minang Customs. The three main things that maintain cultural preservation in Minangkabau society are; customs and their rules, customary density institutions, namely: Kerapatan Adat Nagari (KAN) and ulayat nagari as a single unit where customs (customs of jasalak nagari) which have been inherited from generation to generation are enforced. The existence of Minangkabau customs is clearly illustrated in the proverb, "indak lakangdek paneh, indak lapuakdek rain, dianjak indak layua, dicabuik indak mati, dibasuah bahabih aia, dikikih bahabih basi" (Hakimy, 1994). (not damaged by heat, not weathered by rain, moved and not wilted, plucked not dead, washed only uses water, scraped only uses iron). In fact, Minangkabau culture itself is still used today by the Minangkabau people in areas that previously belonged to the distribution area of Minangkabau society and culture, such as; half of the mainland of Riau, the northern part of Bengkulu, the western part of Jambi, the west coast of North Sumatra, the southwest coast of Aceh and Negeri Sembilan in Malaysia (Sjarifoedin, 2011). It is estimated that Dt. Parpatih Nan Sabatang opened the Naning region (Negeri Sembilan Malaysia) around 1377 AD (Nulhakim, 2018).

The custom was then strengthened with the "Oath of Sati Bukit Marapalam" which was pioneered by Sheikh Burhanuddin from Ulakan Pariaman and Raja Alif from Pagaruyung after the civil war between the traditional people and the scholars which gave birth to the principle "Adat Basandi Syarak, Syarak Basandi Kitabullah (ASB-SBK) where clearly Islam as syara' reinforces Minangkabau traditional and cultural identity (Arief, 2020). In the course of its history, the strength of Minangkabau customs and culture was tested by various pressures from power which aimed to weaken it, or even eliminate its influence altogether. However, the Minangkabau people have always succeeded in maintaining the existence of their traditions and culture.

These power pressures include: 1) King Adityawarman who wanted Minangkabau society to be divided into social strata like castes in Hindu society; 2) The Dutch colonial government appointed its own rulers and implemented Kultuur Stelsel (forced cultivation law); 3) The influence of the harsh and strict teachings of Wahhabi Islam caused war between traditional and religious groups; 4) Old Order Government Regulations and; 5) New Order Government Regulations. After Indonesia's independence on August 17 1945, the Old Order Government tried to organize nagari institutions by issuing West Sumatra Resident Makloemat No. 20-21 of 1946 concerning changes to the nagari government structure which



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stated that the nagari institutional structure consisted of the Walinagari, the Nagari Representative Council (DPN) and the Nagari Daily Council (DHN). In this case, the Walinagari becomes the sole ruler because apart from being the leader of the kenagarian region, he is also the leader of the DPN and DHN (Tegnan, 2015). This is certainly not in accordance with the culture of leadership and deliberation to reach consensus based on the traditional density of the Minangkabau community.

This was followed by the Decree of the Governor of Central Sumatra Province No.50/GP/1950, where the position of nagari was abolished and replaced with regional government. This invited protests from the Minang people and through the Ninik Mamak Conference and Traditional Stakeholders in Bukittinggi in 1953 it was decided that the function of the nagari would be restored. This request was granted by the central government with a Presidential Decree through the Decree of the Minister of Home Affairs dated 7 February 1954. Furthermore, with the Decree of the Governor of West Sumatra Province No.15/GSB/1968 the existence of the Nagari Traditional Meeting was also enforced (Rahmad, 2016). During the New Order government, Republic of Indonesia Law no. 5 of 1979 concerning Village Government and the term "nagari" disappeared from Minangkabau community life. In the previous case, the Decree of the Governor of KDH West Sumatra No.155/GSB/1974 had determined the nagari as the lowest legal unit of customary communities and government. The West Sumatra DPRD seeks to maintain the legitimacy of the Kerapatan Adat Nagari (KAN) even though it has no function in government with the West Sumatra Province Regional Regulation No. 13 of 1983. In this case the Chair of the KAN is appointed directly by the Regent (Yunus, 2013).

Based on the Decree of the Governor of West Sumatra KDH No. 347/GSB/1984, the roles between KAN and the nagari government were separated. KAN is more focused on managing customs, and the nagari government takes care of formal nagari government affairs. But in practice, it is KAN that validates the elected walinagari and also the customary rules and nagari regulations that are made. (Yunus, 2013). According to Yunus (2013), the dualism that occurred during the New Order government resulted in: 1) disintegration of society which led to the weakening of traditional kinship values; 2) lack of community support for development; 3) the weak role of ulama, princes and intellectuals who are members of the KAN institution; 4) acculturation occurs which eliminates Minang identity; 5) strengthening the role of formal bureaucracy.

The 1998 reform movement in Indonesia succeeded in overthrowing the New Order government which had lasted for 32 years. This new historical milestone gave birth to Republic of Indonesia Law No. 22 of 1999 concerning Regional Autonomy where the centralized government system was replaced with a decentralized system through regional autonomous government. Previously, the existence of traditional customs and culture of the Indonesian people was not mentioned in the state constitution. Constitutional reform was carried out with amendments to the 1945 Constitution, the second amendment in 2000



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resulted in Article 18B paragraph 2 which reads, "The state recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary Republic of Indonesia." Indonesia which is regulated by law" (Wikipedia, 2024). This spirit was welcomed by the people of West Sumatra as a gateway to returning to nagari government with the publication of West Sumatra Provincial Regulation No. 9 of 2000 concerning the Principles of Nagari Government.

Republic of Indonesia Law No. 22 of 1999 concerning Regional Autonomy was replaced by Republic of Indonesia Law No. 32 of 2004 which was then replaced again with Republic of Indonesia Law No. 23 of 2014. Then this law was amended by Republic of Indonesia Law No. 2 of 2014. 2015 and the second amendment with Republic of Indonesia Law No. 9 of 2015 which refers to the development of autonomous regional government. In essence, the regional government gives authority to the village government to carry out its government in accordance with the provisions of the applicable laws and regulations and in this case refers to the Republic of Indonesia Law No. 6 of 2014 concerning Village Government (Isti, 2023).

Recognition of the existence of traditional villages is contained in Article 1 of Republic of Indonesia Law No. 6 of 2014, while the mention is in accordance with what applies in the local area (Article 6 Paragraph 2), and in West Sumatra Province it is referred to as Nagari. In Part This institution carries out customary functions and becomes part of the original structure that grows and develops within the village community (Article 95 Paragraph 2), while its task is as a partner who assists the village government in empowering, preserving and developing local village customs (Article 95 Paragraph 3). Implementing Regulations for Law No. 6 of 2014 were issued with Government Regulation No. 43 of 2014 which was later amended by Government Regulation No. 47 of 2015 which mandates that village community institutions and village traditional institutions are formed based on ministerial regulations. In this case, the ministerial regulation in question is Permendagri No. 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions.

Minister of Home Affairs Regulation No.18 of 2018 regulates the requirements and procedures for establishing Village Community Institutions and Village Traditional Institutions; the duties and functions of each institution and its relationship with other institutions, both government and non-government, in the area. (Permendagri No.18 of 2018). Since the reform of the West Sumatra DPRD as the highest legislative institution in this province, it has also issued several Regional Regulations (Perda) regarding nagari governance, namely: Perda No. 9 of 2000 which was replaced by Perda No. 2 of 2007, then replaced by Perda No. 7 of 2007. 2018. This regional regulation was issued before the existence of Permendagri No.18 of 2018 and of course does not refer to that Permendagri (Regulation No.7 of 2018). Meanwhile, the Regional Regulation that refers to Permendagri No.18 of 2018 is West Sumatra Regional Regulation No.8 of 2021 concerning community



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empowerment and nagari government, but this Regional Regulation is not intended to change or replace West Sumatra Regional Regulation No.7 of 2018.

Article 1 paragraph 6 of the West Sumatra Regional Regulation No. 7 of 2018 states that the Nagari Adat Conference (KAN) is the highest deliberative institution in the nagari government whose members are representatives of: niniak mamak, alim ulama, cadiak clever, bundo kanduang and the structure of the nagari fence parik, Its duties and authorities are described in Articles 6 and 7 (West Sumatra Regional Regulation No. 7 of 2018). West Sumatra Regional Regulation No. 8 of 2021 states that the Nagari Consultative Body (BPN) is an institution that carries out government functions (Article 1 paragraph 9). Meanwhile, the village traditional institutions referred to in the Minister of Home Affairs Regulation above are called Nagari Traditional Institutions (LAN). In this Regional Regulation, the mention of Nagari Traditional Meetings (KAN) only appears in Part VII Article 31 paragraph 2, "Regional Government empowers LANs and Nagari Traditional Meeting Institutions in the regions" (West Sumatra Regional Regulation No. 8 of 2021). Because West Sumatra Regional Regulation No. 7 of 2018 does not refer to Minister of Home Affairs Regulation No. 18 of 2018, it is very likely that this Regional Regulation will not be used for the definitive function of KAN in nagari government.

Tanah Datar Regency is one of the districts in West Sumatra Province and was previously known as Luhak Tanah Datar which is the area of origin of the ancestors and traditions of the Minangkabau people. In 2003, Tanah Datar Regency was named one of the 7 best districts in Indonesia according to the British government and also one of the 4 most outstanding districts in implementing regional autonomy according to the Indonesian Institute of Sciences (LIPI) (Wikipedia, 2024). Even under the leadership of Regent Eka Putera, Tanah Datar Regency was appointed as one of the "pilot project" areas in efforts to certify customary land in West Sumatra Province in 2023.

In responding to the era of regional autonomy, the Tanah Datar Regency Regional Government has issued Tanah Datar Regency Regional Regulation No. 4 of 2008 concerning Nagari. In this Regional Regulation, KAN is the highest customary deliberative institution that exists in each nagari (salak nagari adat). Its functions are regulated in Article 8. (Regulation on Flat Land No. 4 of 2008). One of the Nagari Traditional Meetings (KAN) in West Sumatra province is the KAN in Nagari Tanjung, Sungayang District, Tanah Datar Regency. Nagari Tanjung Sungayang is one of the 3 oldest nagari after the oldest nagari Pariangan - Padang Panjang, and was founded directly by Dt. Parpatih Nan Sabatang. However, then a dispute occurred which caused a civil war to break out with Dt.Katumangguangan and the war was won by Dt.Katumangguangan so that the name was changed to Tanjung Sungayang Nan Batujuah and was located in Luhak Tanah Datar (Ibrahim, 1920).

Based on the description above, it can be concluded that currently, the existence of nagari and the functional implementation of Minang customs is legal and guaranteed by the



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1945 Constitution. Likewise, its governance has also been regulated by other laws and regulations under the constitution of the Unitary State of the Republic of Indonesia. Based on the explanation above, researchers are interested in looking at the function of the "Function of Nagari Traditional Density (KAN) in Nagari Tanjung District. Sungayang District Tanah Datar Province West Sumatra."

2. METHOD

This research approach is qualitative. Using According to Sugiyono, qualitative research is research used to examine the conditions of natural objects where the researcher is the key instrument. Meanwhile, according to Iman Gunawan, research guided by the qualitative paradigm is defined as a research process to understand human or social problems by creating a comprehensive and complex picture presented in words, reporting detailed views obtained from information sources, which are natural and natural. using a qualitative approach makes it easier for researchers to find the phenomenon to be studied, namely the Function of Traditional Density of Nagari Tanjung District. Sungayang District Tanah Datar Province West Sumatra.

The type of research used in this research is descriptive research. Descriptive research according to Prof. Dr. Winamo Surachmad M. Sc. Ed is research that seeks to explain solutions to current problems based on data, so he also presents data, analyzes and interprets it. It is also comparative and correlative. Descriptive research can help researchers in collecting and processing information data regarding phenomena regarding the influence of the Nagari Traditional Meeting Institution in administering the government of Nagari Tanjung District. Sungayang District Tanah Datar Province West Sumatra. In this research, several data collection techniques were used, namely interviews, documentation and observation. An interview is a conversation with a specific purpose. The conversation is carried out by two parties, (the interviewer), namely the interviewer who asks questions and the interviewee who provides answers to those questions. Documentation is data obtained from relevant document sources. A document is any written material or film, which is compiled or created by a person or institution. Documents have long been used in research as a data source because in many cases documents as a data source are used to test, interpret, and even to predict. Observation is a data collection technique that requires researchers to go into the field to observe things related to rooms, places, actors, activities, objects, times, events, goals and feelings.

3. DISCUSSION

Function of traditional density of Nagari Tanjung District. Sungayang District Tanah Datar Province There are three in West Sumatra, namely: 1) Organizers, administrators and managers of the Sellinga Nagari customs, KAN Nagari Tanjung, 2) Institutions for fostering, developing and protecting traditional values in all sectors of community life, Salingka Nagari



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Tanjung, 3) Providing legal status according to customs in civil law, especially dispute over sako, pusako, and ulayat of the village of Tanjung.

a) Organizers, administrators and traditional managers of the village of KAN Nagari Tanjung

As the organizer, administrator and traditional manager of the village of KAN Nagari Tanjung, KAN Nagari Tanjung has carried out its functions well. Even though generations have changed, the headmen with their respective titles are still the administrators and members of KAN. So that the routine in organizing, administering and managing the Nagari Tanjung Sellingka custom has not changed much. Delegation of tasks to each administrator is automatic. For example, if a KAN administrator is unable to attend an event, another administrator present will represent him. Moreover, in today's sophisticated era, KAN Nagari Tanjung also has its own groups such as the WhatsApp community, etc., so that the response in organizing, administering and managing the customs of Surgaka Nagari can run more effectively.

b) Institution for the guidance, development and protection of traditional values in all sectors of community life in Lingka Nagari Tanjung

Its function as an institution for fostering, developing and protecting traditional values in all sectors of community life in the village of Salingka Nagari Tanjung is demonstrated by the existence of KAN Nagari Tanjung at all times. In every event, formal and informal activities such as: wirid, commemoration of relevant holidays, youth organization activities, visits by government officials, traditional events where there is an opportunity to speak, representatives of KAN Nagari Tanjung always provide guidance and development, especially advice on traditional values. must be maintained as a form of protection of the good values in question. "The community attendees were also relatives, tolan friends, nieces and nephews as well as the princes," said one of the interview informants.

KAN Nagari Tanjung carries out community education in a culture of deliberation towards consensus to make decisions regarding common interests which is informal in nature. Each level of headman in the Minangkabau tradition in Nagari Tanjung is responsible for teaching deliberation to reach consensus through direct practice, especially to their nephews and nieces who will replace them. Therefore, these headmen become examples not only for the general public but also within the headship environment itself, starting from the way they speak to the way they answer or respond to other people's conversations. Often after a deliberation event, people still talk about the good and bad ways a headman communicates. Therefore, the example of the rulers is a very important thing to pay attention to. In Nagari Tanjung for the leadership cadre formation, usually the nephew who will be manjawek warih is given a special lesson, because the way of communication between penghulu uses special expressions such as the adage petitih, pasambahan order and so on,



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each of which has a different way of placing it. These special lessons include taking him directly to the deliberation arena and places where communication between headmen takes place, such as at funerals, weddings, traditional tagak gala ceremonies or the appointment of new headmen. In every communication between the headmen, deliberation towards consensus must occur and the principle of kinship is maintained to avoid misunderstandings and disputes. Likewise, the tradition of wood basilang ditungku mako api kaiduik (debate due to differences of opinion) in deliberations is a factor that must be respected but the principle of kinship is still maintained so that the good is ambiak jo mufakaik nan buruak is thrown away jo rundiangan. According to one of the interviewees, because of differences in alignment, sometimes they also have different ways of communicating, so in regular meetings or meetings of KAN Nagari Tanjung, this is still practiced to get used to it.

c) Providing legal status according to custom in civil matters, especially sako, pusako and ulayat disputes in the village of Tanjung

Providing legal status according to custom in civil law, especially sako, pusako and ulayat sajaka nagari Tanjung disputes, is an important function for KAN Nagari Tanjung, but these disputes are very rare. Every tribe in Nagari Tanjung has been given ganggam bauntuak, warih nan dijawek pusako nan ditarimo since the Nagari was initially founded by Dt. Parpatiah Nan Sabatang. "Lah joleh dinan torang" said one respondent informant. One or two cases generally occur within one community due to problems with land certification or the construction of buildings on customary land whose permits are forgotten to be notified to the relevant community. However, this matter can be resolved through deliberation and amicable manner. Moreover, with the certification of all customary land in Nagari Tanjung under the current Regent's administration, the problem of customary land disputes can be prevented. "Disputes" that occur very often are when the musnag (village deliberation) determines activity priorities in preparing the RKP (Government Work Plan), "all proposals ask to be prioritized," said one of the sources interviewed with a smile.

The main obstacle faced by the Nagari Tanjung Traditional Village is that the office facilities are no longer adequate because they still use an old building which should be used as a museum tourist attraction. Now the Nagari Traditional Council (KAN) has around 30 members. So, if you hold meetings, especially traditional events, of course you need a larger building and space. It has been proposed several times at the Nagari Conference but land and new building constraints have not yet been resolved. Hopefully, with the certification of customary land, this land can be allocated because Nagari Tanjung also has nagari customary land. Another obstacle is insufficient financial support for operations. We do not deny the current situation that the headmen also work for the economic interests of their families so that sometimes routine meetings once a month, if they are not important, really have to be postponed from the schedule. "So if the finances are adequate, of course the function of KAN can be better," said one informant respondent who complained about the obstacles faced by



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the Nagari Tanjung Traditional Village Association (KAN), Sungayang District, Tanah Datar Regency.

4. CONCLUSION

Function of traditional density of Nagari Tanjung District. Sungayang District Tanah Datar Province There are three in West Sumatra, namely: 1) Organizers, administrators and managers of the Sellinga Nagari customs, KAN Nagari Tanjung, 2) Institutions for fostering, developing and protecting traditional values in all sectors of community life, Salingka Nagari Tanjung, 3) Providing legal status according to customs in civil law, especially dispute over sako, pusako, and ulayat of the village of Tanjung.

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