

## **THE MISSING LINK BETWEEN NATIONAL DEMOCRACY WITH LOCAL DEMOCRACY IN LOCAL POLITICS AND DECENTRALIZATION POLICY IN INDONESIA**

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### **Abstract**

Form of democratic politics in the industrial society based on deregulation, privatization, reduction of social benefits tend not support the deepening of democracy, participation, responsiveness, state intervention in other, more creative and effective as a form of political consciousness required the design of the government can increase the level of community participation, so that loyalty to traditional elites could turn into a rational formulation of government policy through empowering notion of participation (empowered participatory governance). If there is democracy at the national level can be no democracy at the local level, democracy does not necessarily guarantee the national level of local democracy. Unlike the case of India and China to force structural reforms in the system and local participation that has done little on the micro level compared with the style reforms in India. So in the case of Indonesia's political elite as a liaison role with local democracy with national democracy is limited by government policies in the allocation of village funds (ADD), which involves the participation of both communities in the formulation, implementation and evaluation of development policies are implemented. Each district governments in Indonesia has its own characteristics, the uniqueness of this village have to adjust to the shape of the determination of community leaders conducted directly through procedural democracy. The difference between the uniqueness of the village in Indonesia can be seen from the form of deliberative democracy is to elect a leader indirectly, but the decision-making process is done directly. Instead of procedural democracy emphasize the selection of leaders directly, but decision-making is done indirectly Form procedural democracy in accordance with the principles of liberal democracy, such as free competition, political parties, and parliament Using qualitative research methods, the following article describes the policy of decentralization of government Indonesia adjust to the dynamics of local politics through the implementation of Law No. 6/2014 on local government in West Sumatra province can reduce the missing link between the application of procedural democracy at the national level with deliberative democracy at the local level in Indonesia

**Keywords:** Democracy, Local politics, Decentralization

## 1. INTRODUCTION

Understanding democracy is contradictory to one another due to the prescriptive and descriptive nature of the democracy, such as whether democracy is normative or institutional, direct or representative, participative or elite, liberal versus non liberal (populist, radical), social or political. How to define democracy that contains weakness and strength In terms of empirical and pragmatic. David Held defines democracy based on leadership selection and decision-making processes, based on these two things then democracy can be divided into representative democracy, deliberative democracy, deliberative democracy and direct democracy. (Held, 2006) The form of democratic politics in industrial societies based on deregulation, privatization, reduction of social benefits tends not to support the deepening of democracy, but reduces participation, responsiveness, and other forms of state intervention more creatively and effectively as a form of political concern. Required government design that can increase the level of community participation, in order loyalty to the traditional elite can change into a rational formulation of policy through the idea of empowered participatory governance. Political democracy runs efficiently if it is carried out not only through political representation mechanisms, but must also be supported by citizen involvement, consensus-building through dialogue, public policy implementation that can support socially and economically productive bases, and at a radical egalitarian level is the whole society benefiting of national prosperity.

The development planning model in Indonesia is derived from several other principles that reflect the principles of democracy in the implementation of the governance system in Indonesia, among which are: (1) consult with some views before making legislative proposals, discussing draft laws prior to voting; (2) the procedure for placing multiple choice decisions, so that the public can provide views in the final decisions that benefit everyone: (3) placing political decisions as a continuous process, the order of majority and minorities changes according to the issues discussed; (4) take issue beyond the scope of majority decision, how to propose the *RUU HAM* (the plan of human rights law) and depend on minorities. The application of development planning model in Indonesia above can overcome the problem of missing link between representative democracy in liberal democracy which has characteristic of direct leader election, but decision process represented by representatives in legislative body (DPRD) with deliberative democracy which has characteristic of election Indirect leaders, but the process of decision-making is done directly by the community as is the practice of democracy developing in the village (nagari) Indonesia.

There is a missing link between the aim of power decentralization with the cultural identity of local autonomy, the local autonomy reflects the invisible power of global democracy rather than visible power in decision making process of local policy formulation. Antlov (2003), who observed significant changes in the practice of democratic society in political decision making in the village through community involvement since the enactment of Law No.22 / 1999. According to him, although the practice of democracy began to flourish in the village that can be seen with the stronger functions Village Representative Board (BPD), but the cause of democracy in the village also received threats from an institution which is outside the community village itself, especially to strengthen their role in a democracy then, But, the rent-seeking instead to flourish after the fall of Soeharto, even to restore economic and political power they lost due to the reform process, they are trying to transform themselves into organizations "as if" support the democratic process, but the goal is not to democracy itself.

This is clearly evidenced by Robison & Hadiz (2004) in reorganizing power in Indonesia: the politics of oligarchy in an age of market. According to them, in the democratic process that took place after the fall of Suharto came the old political forces are trying to play an influence by way of "hijack democracy" to their interests. In these conditions, democracy is threatened and it is difficult to develop due to the mixing of groups that support democracy by anti-democratic groups in the process of consolidation of democracy in Indonesia. What is described Antlov and Robison & Hadiz that there are still problems in the implementation of democracy should ignore the data values and culture or country to follow what is desired? This is what will be examined in this study in order to complete the study Antlov. First, the results are useful to describe the development of local democratic values that develop in rural communities/villages is based upon the wisdom of the local culture. Scientific knowledge is useful for the improvement of procedural democratic practices at the local level (villages). In addition, this study illustrates the intermingling of the principles of the exercise of power that comes from outside the values of power that comes from within. Secondly, the results of this study would like to contribute to the development of knowledge about the practice of procedural democratization in Indonesia at the local level

In this article, democracy aspects focused on the implementation of government functions related to values in good governance such as accountability, transparency and effectiveness and efficiency. This is because the local government as the executor of duties and functions of government seeks to maximize the

achievement of the objectives of the administration of the pemerintahan with attention to all interests not only the government itself and the private sector, but also the community. As Cheema (2005: 4-6) explains, governance describes something complex that includes mechanisms, processes, relationships and institutions in which communities and other groups can communicate their interests, exercise their rights and mediate the differences that exist between them. This tendency is clear not only at the district level, but also in villages with the traditional values of complex societies may be an obstacle to the achievement of regional autonomy objectives-an important aspect to be explained.

### **1. 1. Methodology**

By using qualitative research methods, the following article describes the missing link between the policy of decentralization of government Indonesia adjust to the dynamics of local politics through the implementation of Law No. 6/2014 on local government in West Sumatra province to reduce the missing link between the application of procedural democracy at the national level with deliberative democracy at the local level in Indonesia. The difference between the uniqueness of the village in Indonesia can be seen from the form of deliberative democracy is to elect a leader indirectly, but the decision-making process is done directly. Instead of procedural democracy emphasize the selection of leaders directly, but decision-making is done indirectly. The transformations of local government in West Sumatera consists of power relations between the form of visible power and invisible power in the context of national policy of decentralization with the form of hidden power in the context of local politics.

### **1. 2. Conceptual Framework**

The role of power as the core of social life can relate the culture with the concept of power in political science. Forms of power consists of things visible, hidden and invisible. The visible powers which gives access to the public to participate and be involved in policy-making. According to John Gaventa (Abdul Halim, 2014:100) powers has a dimensional shapes (forms) and scope, the network of power relations involving the various sides of the form and scope of this. To understand the meaning of power as the core of social life is not only as a force, but also as something productive. The power relation between the form of power and the scope of power can be describes as a theory of magicube, from various sides of this relationship could explain the power relations of global, national and local. This contextual and universal process of power relation can be analyzed in the capacity of the actors to participate or excluded in political dynamics as a whole, the ability to have the power and abilities that are relevant to convert it to the authority and legitimacy; the ability to put issues and their main interests in the political agenda, the ability to organize and mobilizing collective action in a democratic way, the ability to influence policy-making and executive institutions of government, either directly or indirectly through representative institutions. These capacities in using the instruments of democracy, such as the democratic government in explain the role of globalization and cultural identity issue in this process of local government transformation.

There is a relationship between the decentralization of government power and the dynamics of local politics, though both terms have differences. Decentralization is the government's internal dissemination of power, such as from the central government to local governments. While local politics is the power of power in the spatial dimension, as well as the social-cultural boundaries that surround it. The relationship of both can explain the relation of national power with local in the form of influence of social and cultural environment of society to applying central pemerintahan policy in region, and can explain local political function as a means of learning to democracy and foster the capacity of society manage power which emitted by central government to region. The purpose of decentralizing power from central government to local governments or dispersal of power from government to the public or the private sector is to create local political dynamics that correspond to social and cultural values of local communities.

In essence, local politics is the dispersal of power, while decentralization is the dispersal of power that can be done internally government (of government center to the regions) or the dispersal of government power from the center to the market, private sector or non-government organization. The relationship of decentralization to local politics can explain the linkages between local politics and governance. Local government plays an important role in realizing the political freedoms of its citizens, protecting them from abuse of power, and giving wider opportunities for its citizens to enjoy political resources. There are three pillars of empowerment in governance, including government pillars, the private sector and society. Equal power relations can be realized through the empowerment of these three pillars, and serves to reduce the hegemonic aspects of local government management through the process of political recruitment in the area. This idea was then known as the direct regional head elections system, both for the provincial level, the second level in the city / regency, and the selection of the Nagari / village head for the lowest government unit.

## 2. The Missing Link Between National Democracy and Local Democracy

### 2. 1. The Uniqueness of District Government

Each district government in Indonesia has its own characteristic; the uniqueness of this village has to adjust to the form of the election of community leaders conducted directly through the procedural democracy. The difference between the uniqueness of the villages in Indonesia can be seen from the form of deliberative democracy is to elect the leaders indirectly, but the decision making process is done directly. Instead of procedural democracy emphasizes direct leadership election, but decision making is done indirectly. Form of procedural democracy in accordance with the principles of liberal democracy, such as free competition, political parties and parliament. However, the introduction of direct individual participation in leadership selection is not in line with the decision-making process are represented by elected representatives who sit in the legislature, there is a missing link between the goals of decentralization of power objectives with the goal of regional autonomy.

Given the current state of local democracy, when the government has not yet issued regulations on local democratic forms, the development of this village can be done by implementing the existing nagari system. Because *nagari* (village) is now also based on customary and cultural systems, but its implementation space is limited. Therefore, by extending customary and cultural functions, for example, authorizing customary governments to be justified by local law, local democracy will grow and strengthen its existence in the political system at the local level. The choice is of course to the local government through the local regulations it makes. The study found that the authority of local governance needs to be accommodated into local regulations to strengthen the existence of nagari (village) in accordance with the village law. This is the model of traditional *nagari* that needs to be developed by giving authority to the adat government in the *nagari* that organizes the *adat nagari* (village customs).

The development of local democracy is not only related to fostering central-local relations or local government-local relations. However, the development of a local social and cultural system is also gaining attention. Moreover, the people of West Sumatra very strongly run this social and cultural system, especially in the implementation of the lowest government, namely nagari. Related to that, Yoserizal & Asrinaldi (2011) tries to see how the implementation of state autonomy becomes the authority of substance from the state when giving its affairs to the region. This study finds that the strong influence of the implementation of modern government system at the lowest government level has an impact on its relationship with the local sociocultural system. The consequences of the dominance of the central government with the state autonomy under which the powers of the central government influence the formation of three models of relations in modern government practice and their influence on the local sociocultural system of society in West Sumatra. First, the relationship between modern government system and the local sociocultural system is mutually existing. Second, the relationship that dominates the sociocultural system of local communities (asymmetrical negative). Third, the relationship is diametrical.

*Nagari* (village) in West Sumatera Province in Indonesia in a broader sense, not only organizes customary problems. *Adat* (customs) is just one part of the life of the fenced. This is understandable, if the *nagari* is a mini republic (De Jong, 1952, Navis, 1984, Kato, 2005), of course its affairs are not limited to taking care of social and cultural issues only. In other words, *nagari* not only takes care of the customary problems. Formerly, long before independence Indonesia, many other affairs held *nagari* and it all reflects the sovereignty of each *nagari* within the scope of power Pagaruyung Kingdom. Gradually, this nagari position shifted, beginning at the time when the Dutch Colonials made the nagari a colonial administrative unit until after the nagari independence was subordinated to the governmental unit which administered the state administration at the lowest level and became a neo-traditional institution in society (Benda-Beckmann & Benda-Beckmann, 2013: 1).

Some scholars who gave attention to this social and cultural aspect and conducted the study were De Jong (1952), Kato ([1982], 2005) and Navis (1984), Hadler (2010). For example, De Jong understands that the life dynamics of the Minangkabau community are sourced from the surrounding nature. Not infrequently the conception of studying into the nature of the mine become a teacher-has a deep message that affects every behavior of ethnic Minangkabau. A deep understanding of the learning process to "nature" is an integral part of the Minangkabau ethnic social and cultural system. Even these social and cultural joints also serve as the basis for the organization of the life of the Nagari. Furthermore, De Jong sees that social organization in society, such as nagari, is constructed from a matrilineal system that starts from a tribe until it develops into a people. In this aspect, at both the tribal and the clan levels there is the role of penghulu who became the leader in running the nagari (1952: 49-53). Of course the aspect of the organization of nagari is not only social and cultural, but the organization of politics and government all of them interact in nagari controlled by

adat *penghulu*.

Looking deeper, De Jong's review does not clearly explain how the practice of the *nagari* administration, especially when it is associated with governmental authority positioning the *nagari* as a subordinate of government. A recent study related to this social and cultural aspect is the study of Hadler (2010) which sees the position of matriarchal culture in the Minangkabau ethos socio-cultural system and its influence on the political dynamics taking place. Even Hadler extends his study to the Minang position in the development of contemporary political systems. For Hadler, Minangkabau culture can actually be compared with the majority religion of its population, namely Islam becomes an important part for the majority of Minangkabau ethnic to exist in the national politics until the end of the New Order regime. Although the *nagari* is no longer an official governmental unit in West Sumatra, a 1983 law permits *nagari* as a "customary law community" and recognizes the *Kerapatan Adat Nagari* (KAN) as the institution representing this community. A number of implementing regulations provide detailed instructions on how KAN is appointed according to custom, and how KAN performs its main tasks: strengthening traditional values, maintaining the unity of the *nagari* population, managing wealth and resolving disputes over traditional issues (Sutoro Eko, 2008). In other words, the transformation of the village into a village, there was a shift of power and local leadership from the village government to the village administration, where the village administration is the institution that performs the lowest government functions within the territory of Indonesia and the *nagari* diverted its functions and roles to institutions that only deal with customary issues Through KAN.

What is much more damaged is the structure and legitimacy of leadership. Village heads and bureaucrats have taken over the formal leadership of "*Tigo Tungku Sajaringan*", but village heads / bureaucrats themselves do not get enough legitimacy from the villagers (Al Rafni, 1998). That is to say, the separation of adat and government at that time has caused the marginalization of power and the role of indigenous leaders, such as *penghulu*, *niniak mamak*, *alim ulama*, and intellectual in government, collectively filling leadership in the previous *nagari* community in managing various aspects of governance and community life with Deliberation and consensus based on the local sociocultural system that has grown and developed. In fact, the role of these traditional leaders is mobilized and directed to the interests of the government (Asrinaldi, 2012). This can be seen during the New Order regime's rule that the practice of *nagari* administration has been distorted and regressed and has lost its existence deeply for almost 25 years.

## 2.2. The Government Intervention

Along with its development, post-reformation and regional autonomy with the implementation of Law no. 2 of 1999 which was later updated by Law no. 32 of 2004 on Regional Government, the West Sumatera Provincial Government responded by issuing the Regional Regulation (Perda) No.9 of 2000 which was later revised to Perda no. 2 of 2007 on the principal of *nagari* government. In accordance with the development of West Sumatra's majority ethnic Minangkabau community, this law at least began to accommodate the socio-cultural dynamics. The issuance of this law became a new chapter in the development of the *nagari*, and became a reflection of the Minangkabau community spirit for "*nagari* chapters (back to *nagari*) -the basic character of Minangkabau society in the lowest government practice based on cultural values. Marked by the issuance of Perda No.9 / 2000 and Perda No.2/2007 on the principal of *nagari* government, local government reinforces *nagari* government as the front guard in governance function in West Sumatera (Asrinaldi, 2012).

This can be seen by the institutional arrangement of the *nagari* government system consisting of the *nagari* government as the executive and the Nagari Representative Body (BPN) as a legislative institution in *Nagari* which is a new institution that had not previously existed in the implementation of *nagari* established as a prerequisite of the act as an institution in modern government. Whereas the practice of *nagari* conservation is actually based on the sociocultural system with the local institutional arrangements that have developed in the *nagari*, where the *nagari* power was formerly run by the *Walinagari* together with the *Kerapatan Adat Nagari* which consisted of tribal leaders, clerical clerics, intelligent *cadiak* who have dignity in the community and Organize various affairs both regulating, empowering, governing and customary law for the interest of nephew and children in *Nagari* as well as choosing *Walinagari* which is considered skillfully by consensus and consensus.

But in fact, the practice of *nagari* administration now tends to separate the functions of *adat* (local institutions) and government. This is seen with the position of the KAN separated by the lowest modern government practice. KAN is no longer a part of the *nagari* government that is no longer characterized by the traditional government as it once was. KAN is currently only a symbol of the sociocultural system of *nagari* society with the function of taking care of *sako* and *pusako* problems. This is clearly an ambiguous policy and tends to ignore the basic genealogical aspects of implementing the *nagari*. How is it possible to separate

indigenous people from the lowest administrative practices, while in the execution of government functions in the territory of customary law community (Musyair Zainudin, 2010; Asrinaldi, 2012)

The consequence of this regulation is the diminishing role of adat institutions as local institutions that can perform their functions in the *nagari* community. The publication of *Perda* (local regulation) No.9 / 2000 on the principalities of the *nagari* administration and subsequently revised by the *Perda* No.2 / 2007 actually marginalizes the function of adat institutions in the community. In reality, this regulation has put more emphasis on the implementation of the lowest governmental function compared to the actual implementation of the frontier, namely to carry out *nagari* from socio-cultural aspects and geneology. The impact felt to the people, especially the social ties that exist between them, becomes weak. Even people have very little awareness to participate in the political process and governance based on their consciousness. In fact, the frontier also includes a conscious involvement of children, kamanakan and urang kampuang who are actively involved in the implementation of *nagari*. In the context of political involvement of the community in this faction is actually a reflection of the development of democracy at the local level (Tamrin & Asrinaldi, 2015). In addition, this condition has also led to the emergence of new power conflicts in the *nagari* between the *nagari* and KAN governments in particular in the management and control of resources in the *nagari* due to the dualism of formal and informal power in *Nagari*.

Not to mention the existence of the method of direct selection of *Walinagari* by the society that increasingly changed the democratic practices in the *nagari* which then negatively impact the emergence of factions and divisions in life in the *nagari*. Not surprisingly, the practice of *nagari* is currently only in the context of implementing the government and becoming an extension of the power of the district government, where the *nagari* only becomes the lowest government unit while performing the co-administration tasks submitted by the district government through the sub-district. In fact, it is not like that. Zainuddin (2010) explains the practice of fencing rather more complicated and not only concerning the administration of government affairs only. The plural known as the *Nagari's* life also encompasses the sociocultural aspect and the genealogy of the community which actually becomes the true *nagari* character (Kato, [1982], 2005).

The existence of development the village council (BPD) as representatives of political parties and parliament in the village as a form of implementation of the principles of liberal democracy, such as free competition, political parties, and parliament that produce political upheavals, such as the village chief conflict with BPD. Implementation of national government system in local government system gave clear division of power between BPD as legislative institution with Wali Nagari as an executive institution, the function of BPD is to make the rules of *nagari* and oversee the policy of *nagari* government. BPD as a legislative body consisting of representatives of customary institutions has different forms of democracy than the *nagari* governance system is governed by the rules of government, the leadership of indigenous institutions is chosen indirectly and the decision-making process is done directly. This form of democracy is called deliberative democracy, and is different from the government-run representative democracy in the *nagari* government system. This form of representative democracy is the direct election of regional heads through the election of the Wali Nagari (Pilwana), while the decision-making porses are conducted indirectly through representatives of political elites in BPD.

The placement of customary institutions in the same position with *nagari* government in the *nagari* governance system places *adat* (customs) institutions as implementing units of government policy in society, causing customary institutions to lose self-governing authority autonomy. Customary institutions figures do not have sufficient knowledge in influencing government development policies, whereas the function of *adat* (customs) leaders is to convey the policy to members of the community. There is a suspicion of the political elite of customary institutions against the use of *nagari* development budgets resulting from the formulation of joint policies undertaken through deliberations conducted by community representatives in BPD, as well as representatives of *nagari* governments in development consultations at sub-district and district government levels. The suspicion concerns the political lobbying process and the appointment of the partners in the construction project, the mechanism of implementation of development as a form of democratic values in the implementation of liberal democracy is not in line with local democratic values that characterize the decision-making process directly. Implementation of Law No. 6 2014 Local Administration in West Sumatra reduce political upheavals occurring, form of autonomy with greater authority given to indigenous institutions, such as the *Kerapatan Adat Nagari* (KAN) as the customs institution which reduce conflicts that occur between the village chief with BPD as the local legislative body . The authority of the economic, social and culture of the indigenous institutions reduce conflicts between village governments with BPD. The system is set apart from the village government institutions and KAN, KAN institution given the authority to regulate traditional institutions as well as having the rights of the original attached to the village, such as the management of communal land.

### 2.3. Deliberative Democracy

The program of village development activities organized together with the community from planning, implementation, and monitoring through the village *Musrembang* forum until *Musrembang* City and County. *Musrembang* is the deliberative planning of local development, the process of formulating the development planning in the villages generated by the *Musrembang* forum arranged by *Bamus/BPD* (local legislative body) consisting of community leaders. This forum can explain the dynamics of ideas, structures, groups, leadership and development policies of *nagari*. This analysis of the development system also explains the form of democracy developed in Indonesia whether it moves to the majoritarian power that evolves through a representative democracy system or moving toward the principle of consensus power which falls through deliberative democracy in village society (*nagari*). There is a similar form of document declaration of independence which is a cornerstone of development in the Preamble of the 1945 Constitution with the Declaration of Independence of the United States, such as the idea of statehood as a meeting point (common platform) all elements of the nation, the government system periodically, as well as the motto of the state of national unity drawn from *E Pluribus Unum*, Therefore, Indonesia is the first country in the world that mimics the democratic model that is applied around the country, the model followed by the Philippines, Taiwan and South Korea (Muslim Mufti, 2016; 65). Model of functioning democracy in the United States is a reconciliation system is benefited by the free exchange of information and knowledge that is needed in the community who carry out modernization and didrong by social scientists, engineers and other scientists whose numbers handful society. This reconciliation system works in a democracy "*libertarian-secular*", such as the United States. (Chilcote, 2004; 382).

However, implementation of this system in the form of a direct election system was initiated by the designers of the Constitution in Indonesia in the early independence cannot be implemented by considerations of public educational background is lower and government infrastructure limitations (Muslim Mufti, 2016: 53). This electoral system serves to strengthen the political legitimacy of the President is not fully supported by the political forces in the legislature, the support necessary to gain support for the planning and implementation of development policies proposed by the executive to the legislative branch agencies. Ratification of the two state agencies is a form of application of the democratic system of government in an effort to legalizing of political forces not represented fully in the system of elected government. Therefore, in the implementation of political democracy, the principle of majority rule (majoritarian rule) juxtaposed with the power of consensus and delivery form quasi Presidential system of government or semi Presidential that developed in Indonesia in the era of reform

The change of government policy in the relation of central-regional relations emphasizing on the regional autonomy aspect also has an impact on the government's strategy to strengthen the village community. Development is no longer interpreted as a change from traditional society to modern, but as a complementary process. Traditional values serve as the basis for the development of modern society, and modernity is used to strengthen tradition. As the consolidation of democracy is marked by the issuance of Law No.6 / 2014, the opportunity to carry out the *nagari* in a broader context is more open. Even in Article 6 paragraph 1 this Law is declared "[d] esa consists of villages and adat villages." The affirmation of village or *nagari* transformation into *adat nagari* is also stated in Article 28 PP No.43 / 2014 on the implementation of village law. With the existence of these articles provide opportunities to the Minang community to develop their *nagari* based on custom and existing culture. Especially with the customary concept of mutual *nagari* brings the message that the development of *adat nagari* (village customs) is very dependent on how people in *nagari* address this opportunity. The choice for the implementation of this *nagari adat* (customary village) does not mean eliminating the substance of the lowest modern governance. The difference is in the proportionality of the execution of the existing authority in the *nagari* which is certainly more directed to the implementation of socio-cultural aspects. Moreover, so far the authority of *nagari* in the socio-cultural context is not clear although there is government recognition related to the right of origin.

Based on Article 35 of PP No.43 / 2014, the implementation of this right of origin gives hope for the people of the *nagari* to exercise its *adat (customs) authority* which is increasingly eroded in the wake of the times. The stated rights of the *nagari* origin included customary law institutions, traditional property rights, customary land management. So far, the rights of such origins can never be implemented. Then, how to address this opportunity? Although a small number of people in the *nagari* do their activities, the implementation of customs and cultures is carried out only in the affairs of *sako* (tittle rights) and *pusako* (property rights). Of course with the change in the practice of fencing under the regime of Village Law separated from the regime of the Regional Government Law provides benefits for the *nagari* community. The problem now is how people's preparedness in the *nagari* to transform the *nagari* into the *nagari adat*. From the legislation, the facts to this day that the government regulations that spell out the spirit in the Act No.6 of 2014 has not been

published. It also affects the Local Regulation (Perda) which regulates the transformation to the *adat nagar* (customs village). The West Sumatera Provincial Government also cannot yet describe such nagari adat is implemented in accordance with the traditional characteristics of *adat salingka nagari* (the uniqueness customs). It is not surprising that many district governments in West Sumatra are less interested in the opportunities to implement the concept of *nagari adat*. "Ninik mamak as the tribal chiefs incorporated in the KAN in Solok District is not interested in choosing the option to organize this traditional *nagari*. There has been no deep discussion related to the transformation to the nagari adat."<sup>1</sup>

The same tendency is also seen in some districts/cities in West Sumatra. In *Kabupaten* (district) Pasaman, for example, there has been no discussion from the district and local parliaments to make the lowest administrative unit a *nagari adat*.<sup>2</sup> Moreover, encouraging, assisting, facilitating or socializing to the nagari to make the nagari today become the traditional nagari as its lowest administrative unit. There is even an attitude of rejection related to disagreement as elite in government by making the nagari today a nagari adat. Pasaman Regency Government will not follow the West Sumatra Provincial Regulation that was born later by making the lowest form of government as the nagari adat.<sup>3</sup> This, too, is in line with the attitude of Pasaman parliament that is more amenable to the current government service nagari form which is considered more benefit to the community. Until now the encouragement of Indigenous peoples / leaders in the nagari to the government or DPRD to make the nagari today a nagari adat has never been done at all.<sup>4</sup> Indigenous peoples / leaders in the nagari to the government or DPRD to make the nagari today a nagari adat has never been done at all<sup>4</sup>

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### REFERENCE LIST

- Abd. Halim, (2014), *Politik Lokal, Pola, Aktor & Alur Dramatikalnya (Perspektif Teori Powercube dan Panggung)*. LP2B. Yogyakarta
- Afrizal, (2014), *Metode Penelitian Kualitatif: Mendorong Penggunaan Metode Penelitian Kualitatif dalam Berbagai Bidang Ilmu*. Jakarta. PT. RadjaGrafindo.
- Agusta, Ivanovich, Tetiani, Ani & Fujiartanto, (2014), *Teori dan Kebijakan Desa Untuk Indonesia*". Dalam *Ivanovich Agusta & Fujiartanto (Eds.). Indeks Kemandirian Desa: Metode, Hasil dan Alokasi Program Pembangunan*. Jakarta: Yayasan Obor Indonesia, hlm. 13-32.
- Agustino, Leo. (2009). *Pilkada: Dinamika Politik Lokal*, Yogyakarta: Pustaka Pelajar.
- Agustino, Leo. (2011). *Sisi Gelap Otonomi Daerah*. Bandung: Widya Padjadjaran. AE
- Antlov, H. (2003). "Village Government and Rural Development In Indonesia: The New Democratic Framework." *Bulletin of Indonesian Economic Studies* 39(2): 193- 214.
- Asrinaldi, (2012). "Implementasi Demokrasi Lokal Di Balik Bayang-Bayang Otonomi Negara". *Jurnal Masyarakat, Kebudayaan, dan Politik*, 25 (20): 96-107.
- Asrinaldi & Tamrin, (2015). "Prospek Nagari Adat Dalam Rezim UU Desa Di Sumatera Barat Terhadap Pembangunan Masyarakat Sosial-Budaya ASEAN". *Makalah dalam Prosiding PAHMI* 9.
- Benda-Beckmann, Franz von & Benda-Beckmann, Keebet von. (2013). *Political and Legal Transformations of an Indonesian Polity: The Nagari From Colonialisation to Decentralization*. Cambridge: Cambridge

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<sup>1</sup> Interview with Solok Gusmal Regent on 11 August 2016 at Solok Regent's Office

<sup>2</sup> Interview with Musrawal Gusti, Head of Nagari Government of Pasaman Regency on May 26, 2016 at Pasaman Regent Office

<sup>3</sup> Interview with Dalisman Darsah, Assistant 1 The district government of Pasaman on the date May 27, 2016 at Pasaman Regent's office.

<sup>4</sup> Interview with Oyong Mardinal, Chairman of Commission A of the District Government of Pasaman Regency, on 26 May 2016 in Pasaman Regency DPRD.



University Press.

- Cheema, G. S. (2005). *Building Democratic Institutions: Governance Reform in Developing Countries*. New York: Kumarian Press
- Chilcote, Ronald H., (2004), *Teori Perbandingan Politik*, PT Rajawali Pers, Jakarta
- Dede Mariana, Caroline Paskarina, (2008), *Demokrasi & Politik Desentralisasi*, Graha Ilmu, Yogyakarta
- De Jong, Josselin. (1952). *Minangkabau and Negri Sembilan: Socio-Political Structure in Indonesia*. The Hague: Martinus Nijhoff
- Eko, Sutoro, (2008). *Memahami Kembali Desentralisasi dan Otonomi Nagari*. Yogyakarta: APMD Press.
- Eko, Sutoro, (2003). *Transisi Demokrasi Indonesia: Runtuhnya Rezim Orde Baru*. Yogyakarta: APMD Press.
- Hadler, Jeffrey. (2010). *Sengketa Tiada Putus: Matriarkat, Reformisme Islam, dan Kolonialisme di Minangkabau*. Terjemahan. Jakarta: The Freedom Institute.
- Hari Sabarno. (2007). *Untaian pemikiran otonomi daerah: memandu otonomi daerah menjaga kesatuan bangsa*. Jakarta: Sinar Grafika.
- Hasbi, Muhammad. (1971). "Perkembangan Lembaga Kerapatan Adat di Nagari-Nagari Minangkabau: Uraian Tentang Perkembangan Kerapatan Adat Tradisionil Ke Arah Perkembangan Kerapatan Demokratis Nagari." Skripsi Doktorandus. Institut Ilmu Pemerintahan, Malang.
- Held, David, (2006), *Model of Democracy*, Stanford University Press, Stanford, California
- Kato, Tsuyoshi. (2005). *Adat Minangkabau dan Merantau Dalam Perspektif Sejarah*. Terjemahan. Jakarta: Balai Pustaka.
- Manan, Imran. (1995). *Birokrasi Modern Dan Otoritas Tradisional Minangkabau (Nagari Dan Desa di Minangkabau)*. Padang: Yayasan Pengkajian Kebudayaan Minangkabau.
- Muslim Mufti, Didah Durrotun Naafisah, (2013), *Teori-Teori Demokrasi*, Penerbit Pustaka Setia, Bandung
- Miles, M.B. & Huberman, A.M. (1994). *Qualitative Data Analysis: A Sourcebook of New Methods*. Ed-Kedua. California: Sage Pub.
- Morphet, J., (2008). *Modern Local Government*. London: Sage Publications.
- Navis, A.A. (1984). *Alam Takambang Jadi Guru: Adat dan Kebudayaan Minangkabau*. Jakarta: Grafiti Press.
- Priyono, Willy Purna Samadha, Olle Tornquist, (2007), *Menjadikan Demokrasi Bermakna, Masalah dan Pilihan di Indonesia*, Demos, Jakarta
- Putnam, Robert, (1993). *Making Democracy Work*: Princeton: Princeton University Press.
- Rafni, Al, (1998). "Pergeseran Kekuasaan dan Kepemimpinan Lokal Pasca UU No.5 Tahun 1979 di Desa-desanya Sumatera Barat". Tesis. Program Pascasarjana UGM: Yogyakarta.
- Robison, R. & Hadiz, V. R. (2004). *Reorganising Power in Indonesia: The Politics of Oligarchy in An Age of Markets*. London: RoutledgeCurzon.
- Strauss, A.L. & Corbin, J. (1998). *Basics Of Qualitative Research Techniques And Procedures For Developing Grounded Theory*. USA: Sage Pub.
- Tamrin, (2012), *Kerangka Kerja Sistem Politik Indonesia*, Jurusan Ilmu Politik, FISIP, UNAND, Padang
- Tamrin, Asrinaldi dan Indah Adi Putri. (2013). Model Transfer Dana Perimbangan Dan Pemerataan Kemampuan Fiskal Dalam Pelaksanaan Otonomi Daerah. *Laporan Penelitian Hibah Bersaing*. Padang: LPPM Universitas Andalas.
- Willy Purna Samadhai & Nicholas Warrouw, (2009), *Demokrasi Di Atas Pasir*, PCD Press, Yogyakarta
- Yoserizal & Asrinaldi. (2013). Quasi Otonomi Pada Pemerintahan Terendah Nagari Simarasok Di Sumatera Barat Dan Desa ponjong di Daerah Istimewa Yogyakarta. *Sosiohumaniora*, 15(2): 178-193.
- Yoserizal & Asrinaldi, (2011). Praktik Pemerintahan Terendah Dalam Pembangunan dan Implikasinya Terhadap Demokrasi Lokal Di Sumatera Barat. *Jurnal Transformasi Pemerintahan*, 3(2):85-103.

Yoserizal, Asrinaldi & Rahmadani Yusran. (2005). Pemanfaatan Sumber Daya Aparatur Pemerintah Daerah Dalam Rangka Mendukung Pelaksanaan Otonomi Daerah Di Provinsi Sumatera Barat. *Laporan Penelitian Balitbang Provinsi Sumbar*. Padang: Balitbang Provinsi Sumatera Barat,

Zainuddin, Musyair. (2010). *Implementasi Pemerintahan Nagari Berdasarkan hak Asal- Usul Adat Minangkabau*. Yogyakarta: Ombak.