



Natural Democracy of Minangkabau in the Era of West Sumatra Provincial Regulation Number 7 of 2018 concerning Nagari: Towards Consolidation?

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ARTICLE INFO

ABSTRACT

Keywords:

Democracy; Consolidation;
Minangkabau.

Democracy at the local tier exhibits intricate dynamics and possesses substantial variances, one of which pertains to the democratic framework in Nagari, West Sumatra. The West Sumatra Provincial Regulation 7/2018 delineates an interpretation of Nagari through the principle of territorial unity within the governmental structure of Nagari. In alignment with its legal authority, West Sumatra Provincial Regulation 7/2018 encompasses a conceptualization of Nagari infused with the essence of Traditional Village, achieved through establishing Nagari institutions aimed at fortifying customary practices. This fortification is directed towards the component of traditional leaders, which signifies a hallmark of the Minangkabau cultural entity. Traditional leaders, or tribal chiefs, have diminished their authoritative power due to the polarization of political institutions governing the village. The West Sumatra Provincial Regulation 7/2018 advocates for governmental institutions to reinforce traditional stakeholders or leaders alongside their inherent rights. In this regard, West Sumatra Provincial Regulation 7/2018 elevates the status of traditional leaders, who have traditionally occupied roles within community institutions, to positions of prominence within governmental frameworks. This elevation is predicated on the premise that conventional leaders embody the essence of tradition itself, serving as figures who exemplify leadership and uphold the distinctive characteristics of the village populace as dictated by traditional norms.

1. Introduction

The discourse surrounding democracy is an ongoing dialogue that continues to evolve and exhibits intricate dynamics (Bell & Staeheli, 2001; Gaus, 2016; Kensen, 2000). The evolution of democracy is not merely indicative of its advancement towards consolidation but also encompasses discussions regarding its potential regression (Coll, 2008; Lindenfors et al., 2011; Meka, 2016). Democracy encompasses two fundamental dimensions, contestation, and participation, which can be regarded as essential indicators for evaluating the state of democracy within a particular region or nation (Boese et al., 2022; Flores, 2021). The ramifications of democracy, when employed as a governing system, necessitate a transformation of

leadership through a regular electoral process that is characterized by honesty, fairness, freedom, and openness, alongside public engagement in elections, the execution of governance, civil liberties, press freedoms, and other principles that ought to be fundamentally enacted within a framework of transparent and accountable governance (Gunderman, 2002; Tarverdi et al., 2019). Nations that endorse democracy as their political framework presently exhibit diverse practices, both in terms of principles and procedural implementations (Felicetti, 2021; Gagnon & Fleuss, 2020).

Western nations have demonstrated a sophisticated understanding of democratic principles by establishing an inclusive electoral framework and active public engagement in the

political sphere, particularly regarding civil liberties encompassing freedom of expression and opinion (Maboudi, 2020; Recchia, 2018). Conversely, in developing nations, the progression toward democracy continues to encounter various challenges that frequently contradict the tenets of democratic governance. For instance, Indonesia's recent political landscape illustrates a compromised democratic process in foundational ideology and procedural execution. As highlighted in the 2019 Democracy Index report released by The Economist Intelligence Unit, London, in 2020, the trajectory of democratic advancement in Indonesia presents a disheartening picture. This observation is corroborated by the report titled "Democracy Index 2019: A Year of Democratic Setbacks and Popular Protests," which similarly conveys a bleak outlook. According to the findings of the 2019 Democracy Index, Indonesia's democratic status has regressed to the classification of a 'flawed democracy,' a significant decline from its previous designation as a full democracy.

Implementing democratic principles is not exclusively confined to the central governmental apparatus (Andayani & Lanin, 2022; Grisaffi, 2022). Regional and local governments also constitute a pivotal framework for assessing the democratic engagements within a nation-state (Bassoli, 2010). The interplay between the dynamics of political practices at the local level and the overarching democratic frameworks at the national level engenders a multitude of inconsistent propositions (Iskandar, 2011). The transition from a centralized to a decentralized governance structure is not inherently correlated with a corresponding transition from authoritarianism to democratic governance; furthermore, the diminution of a robust state does not inherently ensure the emergence of a vigorous civil society, nor does the erosion of central governmental authority invariably foster a more resilient local democracy (Nordholt, H & Klinken, 2007).

Notably, in Indonesia, the exercise of authority at the local level exhibits a plethora of characteristics shaped by the authenticity of historical antecedents, encompassing both the frameworks of kingdoms and communal systems meticulously governed by a well-

defined customary system. A salient example is the Nagari governance system prevalent in West Sumatra. The Nagari represents a governmental structure analogous to a village, wherein the power dynamics are predicated upon customary law. Similarly, the democratic paradigm within Minangkabau possesses a foundational historical narrative concerning its governance and systemic organization. The lineage of democracy in Minangkabau is profound and distinctive, having been cultivated from customary practices and social frameworks that have persisted over centuries (Blackwood, 2001; Mardatillah, 2020). Moreover, Minangkabau democracy transcends mere political mechanisms; it encompasses social, cultural, and religious dimensions, all of which significantly influence the quotidian existence of the Minangkabau populace.

What sets the Minangkabau tradition apart is its emphasis on maternal lineage in the family structure, where ancestry is linked through mothers (Bhanbhro et al., 2020; Nurjanah et al., 2021). Within this framework, women occupy significant roles within familial and societal contexts, while males, particularly *ninik mamak* (male customary leaders), are responsible for customary governance and leadership roles. The dialectical nature of leadership within Minangkabau customary discourse situates all societal components in pivotal roles integrated within customary institutions. KAN represents a customary institution comprising *ninik mamak*, religious scholars, *cadiak pandai* (intellectuals), and other community leaders. The primary function of KAN is to serve as a forum for customary deliberation and decision-making processes. Furthermore, KAN is instrumental in preserving customary law and supervising customary practices within the societal framework.

During the 14th century, the advent of Islam in Minangkabau deeply affected its socio-political framework. The tenet of "Adat Basandi Syarak, Syarak Basandi Kitabullah" (customs grounded in sharia, sharia founded upon the Koran) serves as the foundational principle of communal existence. The amalgamation of customary practices and sharia reinforces a local democratic framework that honors Islamic tenets. Throughout the Dutch colonial era, the indigenous governance system in Minangkabau

faced considerable pressure and transformation. Colonial administrations instituted novel governmental structures that frequently clashed with established local customs.

Nevertheless, the essence of democratic engagement and consensus remains ingrained within the community. Following Indonesian independence, the Nagari governance system underwent multiple reforms as a component of national governmental restructuring. Nonetheless, the foundational principles of local democracy are preserved and assimilated into the contemporary governance framework. The acknowledgment of Nagari autonomy is enshrined through various regional statutes and regulations.

The reformative period in the late 1990s instigated significant transformations in governance within Indonesia, particularly in the Minangkabau region. Enhanced regional autonomy was conferred upon Nagari, enabling them to manage their internal affairs with increased independence. The democratic framework of Nagari was fortified through the implementation of direct elections for Nagari leaders and the amplification of the role of the BPN (Badan Permusyawaratan Nagari). Presently, the democratic system in Minangkabau persists in its evolution, integrating traditional values with contemporary governance methodologies. Nagari continues to serve as the nucleus of social and political life, wherein deliberation and consensus are upheld as foundational principles in decision-making. The predominant challenge lies in sustaining an equilibrium between customary practices and modernization while ensuring the inclusivity of all societal strata in the democratic framework. Consequently, democracy in Minangkabau emerges as a synthesis of robust customary traditions, the influences of Islam, and adaptive responses to the vicissitudes of time. This system exemplifies how local values can synergize with universal democratic ideals to foster an inclusive and participatory governance structure.

Tensions arising from the juxtaposition of traditional values and contemporary governance frameworks have the potential to engender conflicts that impede the efficacy of democratic processes (Haokip, 2022). In specific

contexts, customary law may oppose modern democratic tenets, including gender equality and fundamental human rights. Concurrently, challenges associated with integrating customary law into the national legal framework can result in legal ambiguities and instability within local governance mechanisms. As the most fundamental governmental unit grounded in customary law, the Nagari necessitates reaffirmation to uphold democratic principles. Despite the theoretical commitment to deliberation and consensus, genuine community engagement is frequently restricted to a limited number of customary representatives or community leaders. This situation may result in decisions that fail to encapsulate the collective aspirations of the entire community. Furthermore, within the Minangkabau kinship framework, which is matrilineal, women's participation in the customary decision-making processes is often marginalized, with authority predominantly vested in *ninik mamak* (male customary leaders).

Democracy within the Minangkabau cultural context, notwithstanding its profound foundations in the principles of deliberation and consensus-building, encounters a multitude of challenges and issues. Modernization and globalization instigate substantial transformations in societal values and normative frameworks. The younger demographic frequently exhibits a heightened susceptibility to contemporary cultural influences, which may stand in opposition to traditional customs. At times, discrepancies arise between the customary laws operative within the village and the overarching national statutes and regulations, potentially resulting in conflicts regarding the execution of governance and law enforcement. It is imperative to bolster local institutions, encompassing customary authorities and village consultative entities. Furthermore, it is essential to promote decentralization and confer increased autonomy upon local governance structures to administer their affairs, all while ensuring adherence to the foundational tenets of democracy and human rights.

2. Literature review

From the extant body of scholarly work, researchers engaged in the examination of

democratic consolidation predominantly focus on the stabilization of democratic systems or the profundity of democratic practices. At the same time, a scant number address the qualitative aspects of democracy about consolidation. This encompasses examining and evaluating how societal standards and cultural interactions shape behaviors alongside the fundamental elements of society, which play crucial roles in the journey toward democratic strengthening, especially when viewed through the framework of neo-institutionalism. Furthermore, over the past two generations, numerous themes within comparative politics have spawned extensive research and discourse about democratization and democratic consolidation. A considerable array of academics over the preceding decade can be identified as contributors to the comparative political literature that has emerged since the conclusion of World War II, exemplified by the work of Ishiyama & Breuning (2011), who investigated topics such as the "prerequisites for democracy" along with the essential conditions necessary for effective democratic governance.

In a broad sense, democratization encompasses a variety of processes or phases, specifically liberalization, transition, installation, and consolidation, with the broadening of the concept of democracy ultimately directing scholarly attention toward the "consolidation of democracy." Singh (2014) posits that in the discourse and examination of democratic consolidation, scholars must acknowledge the significance of political structures at the macro level. This examination is further bolstered by Singh's assertion (2014) regarding political actors, particularly political elites, who exert a substantial influence on the regression of democracy, especially in nations experiencing the third wave of democratization; this serves as compelling evidence that the roles of these actors are critical to consider in discussions surrounding the consolidation of democracy.

Although divergent perspectives exist regarding democratic consolidation, scholars strive to maintain a neutral stance and present a comprehensive body of literature and research findings that bolster the argument for consolidation. Richard Greene (2012:29) articulates that "consolidation is the habituation of democratization"; conversely, Samuel

Valenzuela, in his scholarly work titled 'Consolidation in Post-Transitional Settings' (as cited in Richard Greene, 2012:31), argues that in the process of democratic consolidation, democratic institutions are not the sole determinants of political policies; indeed, political realities can be attained and shaped beyond institutional confines.

About the phenomenon of democratic habituation, posited by Schedler (1998), this constitutes a pivotal dimension of the consolidation process; indeed, democracy can be regarded as consolidated when all stakeholders unequivocally commit to adhering to the established democratic norms. Furthermore, a distinction exists between negative and positive interpretations of consolidation; the negative interpretations characterize consolidation primarily as a mechanism for "preventing" electoral democracy from devolving into non-democracy, whereas the positive interpretations conceptualize consolidation as the reinforcement of democracy through the augmentation of electoral democracy within the framework of liberal democracy.

Based on a multitude of comparisons derived from the aforementioned academic discourse, the elucidation of the reinforcement of local democracy through the positioning of the state as an intervening actor within the village context represents a significant departure from prior research and democratic methodologies; moreover, the functions of local institutions, structural frameworks, and normative guidelines constitute critical components in the examination of democratic consolidation, thereby positioning institutional analysis as pivotal within the democratization trajectory towards consolidation. Furthermore, an assessment of the diverse methodologies employed by various scholars regarding the concept of democratic consolidation reveals a predominant focus on two dimensions: (i) the trajectory of democratic transition towards consolidation, particularly as perceived through the electoral mechanism; (ii) scholars predominantly engage with the notion of a "continuum of democracy," thereby enhancing the discourse surrounding liberal democracy. Notably, there exists a discernible "lacuna" that has yet to be explored by numerous academics about democratic consolidation;

specifically, the assertion that the process of democratic consolidation necessitates the habituation of norms, cultural practices, and institutional frameworks, as well as the intermediation of the state about local communities, which is manifested through policies that represent a singular approach to the analysis of democratization.

3. Methods

The approach employed in the composition of this article is the library research methodology. The library research methodology is utilized to gather and synthesize data about the sustainable development of post-mining urban areas in Sawahlunto City through dynamic governance. The library research process encompasses various stages that need to be followed, as delineated by Zed (2014).

4. Result and Discussion

Development of Nagari from Time to Time

Nagari has traversed numerous dilemmas about conflicts with state regulations; the narrative surrounding the fluctuating fortunes of nagari and its traditional leaders has evolved into a significant factor during the intergovernmental transitional period of the nation, consequently affecting the stability of banagari from the perspective of the governmental framework. The correlation lies in the fact that the essence of a manager encompasses not only the execution of governmental functions but also the provision of public services to the residents of Nagari, mamakkamanakan, within the traditional Minangkabau authority paradigm. The historical context of Nagari within the Indonesian governmental structure can be traced back to 1946. The regulatory evolution of Nagari can be broadly categorized into five distinct revolutions, as delineated below:

Post-Independence Village

The primary regulation governing the governance system in Nagari is the Decree of the Resident of West Sumatra Number 20 and 21 of 1946. This provision contains the principle of polarization of customary authority with government authority, which shows the bureaucracy's indifference to the existence of the traditional authority institution of the Nagari, the

Kerapatan Nagari. The existence of the Kerapatan Nagari, which is the real power of the Nagari and the embodiment of the managerial tribes, is weakened due to the polarization of customary authority with the government, so the implementation of this provision does not involve the Kerapatan Nagari in the implementation of the Nagari government.

Moreover, the governance of tribal entities or tribal authorities merely serves as an ancillary component of the legitimacy of the village governance framework known as DPN, with the remaining DPN members being elected by the youth of the village. This scenario undoubtedly represents the preliminary phase of segregating the tribal leadership from the Village Council, which functions as an ancestral institution within the town, alongside the dissemination of the political party system that alters the framework of the people's council by enabling village youth to serve as representatives within the village administration. Furthermore, the traditional principle of decision-making, expressed as *bajanjang naik batanggo turun*, which delineates the hierarchical decision-making from *ninik* to *mamak* and from *mamak* to *kamanakan*, becomes fundamentally compromised, as decisions can now be made by the authority vested in the village youth or the general populace of the village through a democratic voting mechanism.

Regional Government System

Furthermore, through the issuance of the Decree by the Central Sumatra Regional Government, number 50/GP/1950, dated June 14, 1950, the implementation of a regional government system was executed, resulting in the dissolution of the Nagari governance framework. This resolution facilitated the amalgamation of various Nagari to establish autonomous Nagari regions. The aspiration of the Provincial Government during this period was to diminish the total of 542 existing Nagari to approximately 100 autonomous entities. Subsequently, the organizational structures of the DPN and DPH regarding the consolidated Nagari were dismantled (Padar, 2002). Consequently, this resolution unequivocally contravenes the intrinsic nature of Nagari as both a genealogical and territorial entity, which

elucidates that each Nagari possesses distinct characteristics.

The cessation of acknowledging Nagari as a legitimate governmental framework, coupled with the amalgamation of Nagari under the guise of autonomous regions, constitutes an action that diverges significantly from the traditional Nagari communal system. Furthermore, this regional governance model imposes limitations on the progeny of Nagari, inhibiting their capacity to enact their banagari systems. Previously, the issue of political party interference in the representation of Nagari youth within the Nagari government was evident; however, the current challenge pertains to the customary authority of tribal penghuku, manifesting as conflicts among tribal penghuku and other Nagari youth due to the intermingling of Nagari customs. This intermingling contradicts the understanding held by the residents of Nagari, which emphasizes the principle of mutual Nagari customs.

Autonomous Region

The abrogation of the regional government system was effectuated through the promulgation of the Decree issued by the Governor of West Sumatra No. 02/G-55/1955. The territorial Nagari reverted to its primordial configuration following the amalgamation of Nagari under the stipulations of the regional government framework. Nevertheless, amid this contentious execution, it appears that the executive role of the Wali Nagari is perceived as the most secure position relative to the Nagari People's Representative Council (DPRN) in its legislative capacity. The Wali Nagari is construed as a political instrument employed by political factions to recruit and nominate Nagari leaders who have come to dominate the Nagari. Consequently, during this epoch, the Wali Nagari epitomized a paradigm of unilateral authority, which stands in stark opposition to the customary principle of the absence of a singular leader, as the philosophical underpinnings of leadership emphasize a gradual ascent and cultivation, indicating that the determinations of his mamak circumscribed his authority.

The ongoing restructuring of the Nagari system to date illustrates a persistent erosion of the banagari framework, characterized by the

Wali Nagari's inclination towards dominance within the Nagari, the centralization of democratic political party activities, and the establishment of feeble legislative bodies (Badan Musyawarah Nagari dan Musyawarah Gabungan). More alarmingly, the persona of the Wali Nagari fails to embody a representation of genealogical-territorial affiliations, instead reflecting the interests of a political party.

Village Uniformity, Law 5/1979

The most significant revolution concerning Nagari was the establishment of uniformity within the village, achieved through the enactment of Law 5/1979, which transitioned the governance structure from a Nagari system to a village government framework. The implications of this legislation resulted in a progressively deteriorating state of the Nagari, manifested by the dissolution of the Nagari institution, the subsequent disbandment of the Nagari Assembly, and the fragmentation of traditional customs. This transformation became particularly lamentable as the community succumbed to economic incentives, driven by the premise that an increase in the number of villages would correlate with a greater allocation of Village Funds, further exacerbated by the surge in appointments of new village heads lacking adequate education. Under the village governance model, it appeared that traditional customs were on the brink of extinction until the promulgation of Regional Regulation 13/1983, which sought to preserve the existence of Nagari by recognizing KAN within genealogical jorongs that had evolved into villages, thereby affirming Nagari as a recognized unit of customary law community.

The findings of Istianda (2014) suggest that the standardization of this village reflects the central government's intention to preserve its authority under the guise of political stability at the most localized tier of the governance framework. Moreover, the enactment of Law 5/1979 within the Nagari context has exacerbated issues originating from prior eras, further undermining the traditional Minangkabau system and severely disrupting the territorial-genealogical cohesion of the Nagari, in a manner that is more detrimental than the existing Regional Government system, effectively

isolating tribal leaders beyond the parameters established by the West Sumatra Resident's Decree numbers 20 and 21 of 1946. Nonetheless, all these challenges are tethered to a singular legal framework, namely Regional Regulation 13/1983, which affirms the status of Nagari in West Sumatra as a Customary Law Community Unity, with KAN serving as the institutional embodiment of the internal authority of the Nagari. Consequently, the standardization of villages via Law 5/1979 represents a profound revolution in the erosion of the Nagari governance system, thereby adversely affecting the Minangkabau authority paradigm.

Regional Autonomy in the Reform Era

The dissolution of the New Order regime has precipitated a transition from a centralized governmental framework to a decentralized administrative structure. Until the conclusion of the New Order era, culminating in the reform period in 1999, the enactment of Law 22/1999 and Law 25 of 1999 about regional autonomy facilitated the establishment of the Regency/City Regional Government, which possesses the jurisdiction to govern its respective regions independently. This legislative framework affords the Government and the populace of West Sumatra the potential to reinstate the Nagari governance model and rejuvenate the waning Nagari system. The Nagari administration, formerly acknowledged solely as a customary territorial entity, can now be reestablished as the fundamental level of governmental organization. From this prospect, the phrase "babaliak ka nagari" has emerged.

To actualize this objective, the Government of West Sumatra reinstated the Nagari Government System as the foundational governmental entity through Regional Regulation 9/2000, which delineates the Fundamental Provisions of the Nagari Government, thereby establishing Nagari as the primary governmental unit across all Cities and Regencies in West Sumatra (except Mentawai Islands Regency). The dissolution of the village governance system, which profoundly undermined the social structure of the Minangkabau community, constitutes a sad chapter in the history of Nagari; thus, the resurgence of the Nagari Government

framework is anticipated to enhance community engagement in the development of Nagari, concurrent with the acknowledgment of Nagari's autonomy.

Nevertheless, Regional Regulation 9/2000, embodying the ethos of "babaliak ka Nagari," has proven insufficiently effective, particularly considering that the operational framework of Nagari governance continues to retain a distinctly rural character. Regional Regulation 9/2000 merely affords Nagari the prospect of reinstating the Nagari designation following the enactment of Law 5/1979, which reclassified it as a village; the envisioned ideal of the Nagari entity, as delineated in the Regional Regulation, continues to be predominantly influenced by the archetype of Nagari governance that existed before the introduction of Law 5/1979 (Pador, 2002). The foundational governmental structure applicable within the Nagari remains immutable due to the constraints imposed by regional autonomy, which are confined to the transition from a centralistic governance framework to a decentralized one. The central authority formerly prescribed this shift, but it is now subject to regional determination. Consequently, the initiative of "babaliak ka Nagari" has not achieved its full potential in the restoration of the identity of the Nagari Government.

The Nagari dilemma, despite its complexities, has thus far not significantly undermined the Minangkabau traditional authority system to the extent of erasing its distinctive characteristics. The inhabitants of Nagari have demonstrated an ability to sustain their communal identity amidst the currents of modernization and transformations in state governance by reinforcing the essence of the Minangkabau traditional authority framework during revolutionary change, even when such frameworks are precariously situated. Once again, through a historical overview of Nagari, it remains steadfast in its identity while simultaneously accommodating the modernization of the supra Nagari system, as articulated by Manan (1995), who asserts that traditional Nagari endures amidst evolving circumstances through a paradigm of continuity (change within continuity), evidenced by the preservation of the Nagari nomenclature and the

continued existence of the KAN entity, despite the pressures exerted by contemporary bureaucratic frameworks.

Law 6/2014 concerning Villages emerged as a focal point of national legal discourse following a significant acknowledgment of regions possessing Customary Law Community Unity alongside their enduring traditional rights. Law 6/2014 introduced a novel framework for delineating an area identified as a Village through its defining characteristics. These characteristics subsequently engendered a dualistic framework of governance that operates within Indonesian society, explicitly distinguishing between villages and Customary Villages. This dualism is further elucidated in Article 18 of the 1945 Constitution, which historically delineates the territory of the Republic of Indonesia as comprising both an autonomous self-governing entity and a local community governance system grounded in customary law.

In essence, the cohesion of customary law communities is established upon three fundamental principles, specifically genealogical, territorial, and/or integration of genealogical and territorial elements. The stipulation within this legislation pertains to the cohesion of customary law communities, which embodies a synthesis of genealogical and territorial factors. The relationship is such that the state acknowledges and honors the cohesion of customary law communities alongside their ancestral rights, provided these rights remain active. They are consistent with societal advancements and the principles governing the Unitary State of the Republic of Indonesia.

Based on the delineation above of Nagari, the West Sumatra Provincial Regulation 7/2018 articulates an interpretation of Nagari through the lens of territorial integrity within the framework of Nagari's governmental system. By its statutory authority, West Sumatra Provincial Regulation 7/2018 encompasses an interpretation of Nagari infused with the essence of Traditional Village by establishing Nagari institutions, which serve as a mechanism for reinforcing customary practices. This reinforcement is specifically directed towards the role of traditional leaders, a defining attribute of the

Minangkabau cultural entity. Traditional leaders, synonymous with tribal chiefs, have encountered a diminishment of their authority due to the bifurcation between the political structures of village governance and traditional institutions during the enactment of Law 5/1979.

Minangkabau Democracy in West Sumatra Provincial Regulation Number 7 of 2018 concerning Nagari

The Regional Regulation (Perda) of West Sumatra Province Number 7 of 2018 about Nagari serves as the foundational legal framework governing the administration of Nagari within the West Sumatra region. This Perda encompasses an array of stipulations pertinent to the execution of Nagari governance, the involvement of the community, and the dynamics between Nagari governance and the regional government.

Nevertheless, it is noteworthy that the inception of this regulation exhibits substantial distinctions from its predecessor, specifically Regulation Number 2 of 2007 about the Principles of Village Governance. Before the enactment of Regulation 7/2018, the Village governance system in West Sumatra had not functioned as a customary authority rooted in ancestral rights. Indeed, the concept of democracy fundamentally varies in its interpretation. Under Regulation 2/2007, the election of the Village Head was conducted through direct participation by the community. This practice aligns with the tenets of democracy, which advocate for extensive public engagement.

Regional Regulation 7/2018 reinstates the ethos of local democracy in which the election of the Village Head is executed by a traditional institution operating under the Village Customary Council (KAN). The presence of KAN serves as a representative body for the *ninik mamak* and components of the conventional community. This underscores that this model of democracy is characterized as a representative democracy instead of a direct democracy. Paradoxically, the initiative to enhance local governance intersects with the frameworks of the national government, albeit not at a conceptual level but in terms of practical implementation.

The West Sumatra Provincial Regulation 7/2018 advocates for the interests of governmental bodies as a means to fortify the role of customary stakeholders or traditional leaders alongside their indigenous rights. In this context, West Sumatra Provincial Regulation 7/2018 elevates the status of customary leaders, who have historically occupied positions within community institutions, to a higher echelon of authority by granting them roles within governmental frameworks. This elevation is predicated on the premise that customary leaders serve as embodiments of cultural traditions, representing individuals who exemplify leadership and uphold the distinctive characteristics of Nagari inhabitants by established customary norms.

Introducing a legal framework to empower villages to select their preferred governance system may potentially incite new disturbances at the local level. Nevertheless, the established legal framework operates within a political context and is undeniably intertwined with the central authorities' interests concerning regional dynamics. Firstly, it is evident that this will likely serve as a favorable instrument for the elite faction (*ninik mamak*) to reassert their influence over the village. Secondly, there is anticipated resistance from the youth factions advocating for a democratic restructuring of village administration. Drawing upon the previously articulated assumptions, it can be inferred that a conflict of interests will emerge, particularly regarding the alternatives presented by the central government through Law Number 6 of 2014, which pertains to villages, traditional villages, and/or sub-districts, thereby creating a potential for elite conflict at the local level.

5. Conclusion

Local democracy in West Sumatra possesses distinctive attributes that embody the amalgamation of contemporary democratic principles and Minangkabau cultural traditions. This system assigns a pivotal function to the community in shaping decisions through avenues of discourse and consensus-building. Nonetheless, following the enactment of West Sumatra Provincial Regulation, number 7 of 2018, about Nagari, the essence of local democracy has been revitalized, which, within

the democratic theory, encompasses the principle of representation for institutions such as Customary Institutions. Despite still being ambivalent due to its non-implementation by the Nagari in West Sumatra, it appears that the trajectory of democracy introduced by this recent regulation necessitates the development of a more adaptable framework to ensure coherence between national governance and local governance.

6. Limitation

This research encompasses several constraints that warrant careful consideration. Initially, the investigation predominantly relies on bibliographic research methodologies, which implies that the data acquired is confined to secondary sources. This limitation may result in the absence of empirical data that explicitly delineates the present circumstances surrounding the execution of West Sumatra Regional Regulation Number 7 of 2018 regarding Nagari. Furthermore, this research fails to incorporate the viewpoints of all relevant stakeholders, including community leaders, youth, or women's organizations within Nagari, who may possess divergent perspectives on local democracy and the function of customary institutions. In summary, this analysis does not comprehensively assess this rule's lasting impacts on Nagari's social and political harmony, particularly concerning the relationship between customs and advancement.

7. Implication

The findings of this analysis are notably crucial for those shaping policy, scholars, and community representatives in West Sumatra. The findings indicate that West Sumatra Regional Regulation Number 7 of 2018 possesses the capacity to reinforce the role of customary institutions and traditional leaders within the governance framework of the Nagari. Nevertheless, it is imperative to exercise caution during its implementation to mitigate potential conflicts of interest between customary elites and the younger generation advocating for direct democratic practices. Furthermore, this regulation presents an opportunity to integrate contemporary democratic principles with local customs; however, it must be supported by a flexible framework to ensure congruence with

national policies. There is a belief that policymakers will reflect on this rule's social and political effects and will carry out needed alterations to promote the sustainability of an inclusive and engaging local democratic system.

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