

Cultural Agency and Indigenous Community Empowerment: Manifestations of Civil Disobedience in Resisting Legal Hegemony in Minangkabau, West Sumatra, Indonesia

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Abstract

This study examines the phenomenon of civil disobedience as a form of community empowerment in response to the implementation of Government Regulation (PP 84/1999) on the Territorial Proliferation of Bukittinggi City and Agam Regency, West Sumatra, Indonesia. While previous studies focused on administrative conflict management, this research analyzes how cultural agency and Islamic values transform the community from passive objects of regulation into empowered subjects of resistance. Using a qualitative case study design, data were gathered through in-depth interviews with key actors, including traditional leaders (niniak mamak), bureaucratic elites, and community representatives, complemented by an extensive analysis of newspaper archives and official documents. The findings reveal that the two-decade resistance was driven by a deliberative deficit and a perceived threat to nagari autonomy and Minangkabau social ideology. This defiance manifested in statutory dormancy, where the regulation was effectively neutralized by collective social forces. The study concludes that the integration of customary principles and Islamic justifications provided the moral legitimacy necessary for organized advocacy. This cultural agency successfully pressured the state to issue Law 53/2024 on Bukittinggi City, confirming that law's sustainability depends on its harmonization with the living law.

Keywords: *civil disobedience, community empowerment, cultural agency, Minangkabau.*

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Introduction

The phenomenon of *civil disobedience* is a complex socio-political discourse, involving a dialectic between legal, moral, socio-cultural identity and dimension of politics (Berglund, 2023; Kellner, 1975; Passini & Morselli, 2009; Pineda, 2019; Thomassen, 2007; Zain & Yusoff, 2017), psychological (Bocchiaro & Zamperini, 2012) and sociological (Chong, 2015; Ewick & Silbey, 2017; Jurgen, 1985). Sociologically, civil disobedience is not merely a form of non-violent public protest against policies that are considered unfair, but rather a strategy of cultural agency for society to defend its collective values and identity sovereignty (Chua et al., 2023; Smith, 2019). In the legal ecosystem, the effectiveness of a policy is highly dependent on the social and cultural legitimacy of the community's laws (Friedman, 1986; Friedman I, 2009). When state law experiences a deliberative deficit and ignores local sensitivities, civil disobedience emerges as an instrument of *community* empowerment to resist oppressive bureaucratic domination (Selepe, 2023; Shidarta, 2009). Unlike radical revolutions, civil disobedience here becomes a mechanism for indigenous communities to gradually reclaim their space for participation.

In Indonesia, Aspinall, (2005), Davidson (2007), Haryanto (2009), Ichlas (2015), Sulistyaningsih et al., (2022), and Witoelar (2018) stated that this agency dynamic is clearly recorded in the long resistance of the people of Agam Regency against *Peraturan Pemerintah* (Government Regulation) (PP 84/1999) regarding the Proliferation of the Boundaries of Bukittinggi City and Agam Regency. This PP, which was originally projected to accelerate the economy and administration, was instead interpreted as a threat to the autonomy of the *nagari* (the lowest administrative unit in traditional Minangkabau) and the existence of the Minangkabau socio-cultural identity (Haluan, 2000, 2001; Singgalang, 2000, 2002). The systematic resistance involving elements of *Niniak Mamak*, MUI, and the Agam Tuo Nagari Coordination Agency reflects a process of collective legal empowerment. This action is not merely disobedience, but a conscious effort to show that laws that lose social support will lose their moral authority (Soekanto, 1982; Suteki, 2013).

The culmination of this cultural agency manifested on August 7, 2024, with the enactment of Law no. 53 of 2024 (Law 53/2024) on the City of Bukittinggi. The presence of this law is not just an ordinary

legislative process, but a “monument of victory” for the collective voice of the Agam community, which has been empowered by local values for decades. Law 53/2024 came as a response that substantially accommodated the demands of the community and restored justice that had been distorted by PP 84/1999. In reality, this success proves that when the community has strong and organized agency, structural legal change can be forced to happen even through a long process (Soekanto, 1980).

Beyond the socio-political dimension, the agency of the Agam community is deeply rooted in *adat* and Islamic values. From an Islamic perspective, obedience to authority is a conditional contract; it is obligatory as long as it is based on justice (*al-'adl*) and public interest (*al-maslahab*). If a policy is discriminatory, then resistance becomes a form of devotion within the framework of *amar ma'ruf nahi munkar* (Afsaruddin, 2006; Tastan, 2017). In Minangkabau, the philosophy of *Adat Basendi Syarak, Syarak Basendi Kitabullah* (ABS-SBK) reinforces the justification that rejecting regulatory injustice is part of the integrity of faith. Therefore, the rejection of PP 84/1999 is a form of religious and cultural empowerment of the community in demanding their basic rights.

Previous studies on the conflict surrounding PP 84/1999 have generally been stuck in technocratic, administrative, and conflict management *governance* analyses alone (Budi, 2007; Valentina, 2007; Welfizar, 2003). These studies tend to ignore the broader dimension of community empowerment, in which civil disobedience functions as a mechanism for legal and political literacy at the local level. This article aims to fill this gap by exploring how cultural agency and Islamic values transformed the Agam community from mere actors of resistance into empowered subjects. The main focus of this study is to analyze how social and customary capital and Islamic justification strengthen the legitimacy of civil disobedience as a practice of empowerment in the face of non-deliberative legal hegemony.

Method

The data collection technique in this article utilized in-depth interviews with 24 informants selected based on three predetermined purposive criteria to ensure the data's relevance to the research focus. The

informant selection process employed a snowball sampling technique, starting with key informants and evolving based on recommendations from previous informants until data saturation was reached, a point at which no new substantive information was found, as suggested by Sugiyono (2021) and Creswell & Poth (2018). Interviews were conducted in the Minang dialect to maintain comfort, build rapport, and explore cultural and personal meanings. The recordings were then transcribed into standard Indonesian for analysis without losing the essence of the informants' statements. The data analysis technique in this study is the interactive model by Miles et al., (2014), which involves four systematic stages. The first stage was data management, which involved organizing and converting all interview data into digital documents, structured into folders and thematic categories to ensure data accessibility during analysis. The second stage, data reduction, is carried out through repeated reading of interview transcripts, followed by coding or memoing to select, sort, and focus on the data most relevant to the research issue. The third stage is data display, which involves presenting the reduced data in the form of descriptive narratives, matrix tables, and representative direct interview quotations to facilitate pattern identification. Finally, the fourth stage is data interpretation and concluding, namely, analysing the presented data using a relevant theoretical framework to interpret the findings, answer the problem formulation, and produce scientifically valid conclusions.

Results and Discussion

The Genealogy of Disobedience

The historical trajectory of PP 84/1999 concerning the territorial proliferation of Bukittinggi City and Agam Regency constitutes a long-standing narrative of action, characterized by steep, winding, challenging, and even tense socio-political dynamics. This regulation possesses a track record dating back to 1983; after 16 years of a convoluted process, the PP was finally ratified, only to be followed by approximately 25 years of post-ratification during which it was never implemented. The culmination of this process occurred with the enactment of Law 53/2024 concerning the City of Bukittinggi, which reaffirmed the previous territorial boundaries, marking the absolute and total failure of PP 84/1999. Cumulatively, this entire sequence of events spanned approximately 41 years.

The history of critical obedience began in late 1999, prior to the regulation's ratification in October. As rumors of the impending ratification of the Government Regulation reached the community of Agam, they immediately initiated a series of meetings and consolidations to anticipate the potential socio-political consequences. Coordination meetings were held on August 31, 1999, followed by subsequent gatherings on September 5 and 14, 1999. These forums were attended by various elements of the *Anak Nagari Agam Tuo*, including traditional leaders (*niniak mamak*), religious scholars (*alim ulama*), intellectuals (*cadiak pandai*), the youth, and other community representatives from six districts. The forum reached a consensus regarding the threats posed by the proliferation, specifically emphasizing that Eastern Agam (known as *Agam Tuo*) is an inseparable cultural entity inherited through the evolution of Minangkabau civilization. The community concluded that should the expansion of Bukittinggi proceed, this cultural integrity would be fragmented, leading to the irreversible destruction of the existing social order and established way of life. This is strengthened in the statement of the customary leader.

"Jadi intinyo tu, kecemasan urang kampung awak tu ka rusak adaik salingka nagari tu. Indak kamungkinan, daerah nyo bagabuang ka Bukittinggi, tapi adaik salingka nagari nyo indak ka barubah. Nan masuk Bukittinggi, otomatis adaik salingka nagari kapau akan habis. Walaupun sempat dikecek an dek urang Bukittinggi akan menjago adaik kapau, tapi urang kapau kurang yakin"

Translation: So the point is, the anxiety of our village people is that the custom surrounding the nagari (adat salingka nagari) will be ruined. It is impossible, for their area to merge into Bukittinggi, but their custom surrounding the nagari will not change. Whichever enters Bukittinggi, automatically the custom surrounding the nagari of Kapau will be finished. Although it was once said by the Bukittinggi people that they would guard the Kapau custom, the Kapau people were less convinced) (Doddy, Interview, Juli 7, 2025).

Furthermore, the expansion policy was perceived as a top-down decision that systematically ignored the aspirations of the grassroots community. According to Muchtar Naim, the regulation (PP 84/1999) was, fundamentally, legally flawed because it was prepared

while the Habibie administration was in a *demissionary* state; it was reportedly signed by President Habibie in his motorcade while heading to the People's Consultative Assembly (MPR). In response, the coordination meeting of the *Anak Nagari Agam Tuo* demanded the immediate cancellation of the plan to expand Bukittinggi City into Agam Regency's territory, insisting that if the decision had already been finalized, it must be revoked. As a strategic alternative to resolve the conflict, the assembly reached a consensus to propose the administrative division of Agam Regency into two separate entities: West Agam Regency and East Agam Regency (*Agam Tuo*).

Although the movement was initially informal, it achieved organizational structure on September 16, 1999, with the formal establishment of the Agam Tuo Nagari Coordination Agency of West Sumatra Province. This organization was founded with the explicit objective of opposing the Bukittinggi City territorial expansion plan prior to the ratification of PP 84/1999 of 1999. Following the regulation's enactment, the Agency convened a strategic meeting to formulate a response to the newly issued policy. During this assembly, they formally endorsed the stance of the Agam Regency Regional People's Representative Council (DPRD) in rejecting the regulation and collectively urged the Central Government to conduct a comprehensive review of PP 84/1999.

The community's resistance was anchored in two primary arguments. First, it was asserted that President Habibie signed the Government Regulation while his term was nearing its end and the administration was in a demissionary state; thus, the regulation was viewed as a product of the New Order regime—a system perceived as indifferent to grassroots interests. Second, PP 84/1999 was deemed contradictory to community aspirations and the ideals of the Reform Era (*reformasi*), posing significant moral and material detriments to the Agam Regency administration.

Support for the rejection of the PP and the proposal for the administrative division of Agam Tuo also emerged from prominent figures, including Akmal, SH, the former Mayor of Bukittinggi. He assessed that Bukittinggi expansion concept would trigger new complexities, particularly burdening the communities in the residual areas not included in the expansion zone. Despite the Central Government

issuing Instruction of the Minister of Home Affairs No. 33 of 1999 on the implementation guidelines of PP 84/1999, the Agam community, the Regional People's Representative Council (DPRD), and the Regent of Agam remained in a unified consensus to reject the expansion of Bukittinggi.

This implies that the people of Agam, in their rejection of PP 84/1999, implicitly perceived the regulation as a violation of the social contract between the state and its citizens, as it failed to incorporate their aspirations and interests. Celikates (2016) reinforces this argument by asserting that civil disobedience frequently emerges as a response to a legitimacy deficit within a democratic system, particularly when formal channels fail to accommodate the interests of specific groups.

To be precise, the narrative above demonstrates that the expansion initiative, which began with Mayor Oemar Gafar's request in 1983, reflects a top-down development paradigm. Although grounded in technocratic justifications, such as land limitations (25.24 km²) and population growth, the process suffered from a chronic deliberative deficit. An analysis of the 1985 correspondence between the Governor of West Sumatra and the Regent of Agam, M. Nur Syafi'i, reveals that from the outset, the Agam administration issued stern warnings, acting as a preventive agency, to ensure that the expansion would not disrupt the integrity of customary territories (*nagari*) or create administrative enclaves. However, the administrative pressure from Bukittinggi, bolstered by central power structures, frequently ignored these sociocultural considerations. Consequently, until 1995, even as administrative agreements were reached at the elite level (between the Regional People's Representative Council and Regional Heads), grassroots aspirations remained profoundly alienated.

For the people of Agam Regency, PP 84/1999 concerning the territorial proliferation of Bukittinggi City was not merely a positivistic administrative document with legal force. Instead, they perceived the regulation as a tangible manifestation of a governmental threat that would dismantle their customary order, history, social structure, social ideology, and collective dignity. The democratic opportunities provided by the Reform Era appeared to be reclaimed by the Central Government through the enforcement of PP 84/1999. Consequently,

civil disobedience became the chosen path to respond to the widening democratic deficit caused by sovereign reengagement in the issue of Bukittinggi's proliferation.

The Failure of PP 84/1999 and the Deliberative Deficit

The fundamental issue underlying the failure to implement PP 84/1999 originates from a primary obstacle: the absence of meaningful participation from the affected community. Documentary evidence indicates that this resistance was not merely an emotional outburst but a structured collective action initiated by the community, the legislative body, and the Agam Regency Government. This is formally confirmed in the Agam DPRD Memorandum, which symbolically withdrew all political support for the territorial proliferation. For the traditional leaders (*ninik mamak*) and the broader community, PP 84/1999 was regarded as a decision that was fundamentally unrooted and groundless.

The absence of customary institutions, namely the *ninik mamak* (traditional leaders), *alim ulama* (religious scholars), and *cadiak pandai* (intellectuals), in formulating the concepts and ideas for Bukittinggi's proliferation indicates that the decision was akin to "*maagiban pisang lab bakubak*" (literally means "offering a banana that has already been peeled"). This metaphor implies that the fundamental elements of society were entirely excluded from the decision-making process. The "peeled banana" signifies a decision or action taken without the ethics and etiquette (*tata krama*) that serve as the long-standing standard of values within Minangkabau society, a society which holds the principle that a decision should not "*manitiak dari ateh, tapi mambusek dari bumi*" (literally means "trickle down from the top, but rather spring up from the earth").

This phenomenon evokes Habermas's assertion that a legal policy can only achieve legitimacy if it arises from communicative action, a dialogical process in which the actors involved hold equal positions to reach a mutual understanding. Similarly, from Seidman's perspective, this situation reflects a profound loss of the communicative aspect during the regulatory formulation process. (Habermas, 1984; Seidman & Seidman, 1994). The sentiment of the grassroots is encapsulated in the statement made by a community leader, Datuak Tan Panji:

“Nan karajo nan ndak katuju dek urang kampuang tu, indak malalui musyawarah jo mufakat. Inyo saolah olah, maagiah pisang lab baku-bak. Iyo indak katuju dek urang kampuang.”

Translation: “What the villagers dislike about this project is that it did not go through the process of *musyawarah* (deliberation) and *mufakat* (consensus). They acted as if they were giving us a banana that had already been peeled. That is simply unacceptable to the people.” (D. Tan Panji, Interview, July 12, 2025)

This testimony confirms that for Minangkabau society, the unilateral decision-making process was perceived as a direct violation of their egalitarian principles. The “peeled banana” metaphor specifically highlights the lack of respect for local agency, where decisions were finalized before the community could participate in the initial formulation. In a society where legitimacy is derived from the ground up (*mambusek dari bumi*) the imposition of a “pre-peeled” decision effectively delegitimized the regulation in the eyes of the public, fueling the long-standing civil disobedience.

By applying Lawrence Friedman’s Legal System framework, this study finds that the failure of PP 84/1999 originated from a deficit of legislative rationality within the dimension of legal substance. Viewed through the lens of Wintgens’ Legisprudence, this regulation was conceived with a rationality defect as it neglected an in-depth assessment rooted in the local realities of Agam Regency. Within this spectrum, it is evident that the community’s resistance was grounded on a higher principle of justice that constitutes their core morality (L. M. Friedman, 1977; Wintgens & Oliver-Lalana, 2013).

For the Agam community, the formal legality imposed by the state stood in direct contradiction to a higher principle of justice, namely, justice within the realm of their customary laws and communalism. This civil disobedience was undertaken because the law had lost its integrity, leading to the perception of PP 84/1999 as a morally flawed product. The people of Agam consistently reject any legal instrument that violates common sense. As previously described, the fact that PP 84/1999 was signed by President Habibie after his administration had entered a demissionary state, reportedly signed inside a vehicle following his speech, serves as a primary illustration of a policy that, in their

view, fundamentally defies logical and ethical reasoning (S. Mahmud, Interview, July 5, 2025).

The state's inability to provide both teleological and pragmatic justifications resulted in a violation of Robert B. Seidman's "Law of Non-Transferability of Law" (Seidman & Seidman, 1994). The administrative legal substance, which was forcibly duplicated onto the customary territory of Agam, encountered systemic rejection due to a fundamental lack of cultural compatibility. Consequently, since its enactment, this regulation has suffered a substantive legal defeat.

The Conflict between Positive Law and Minangkabau Living Law

The reality of the Agam community's rejection further reinforces Roscoe Pound's argument regarding the dichotomy between law in books and law in action. While PP 84/1999 might be robust from a legal-formalistic perspective (in books), it remained paralyzed in practice (in action) as it collided with the wall of cultural resilience. The researcher observes a competition of authority between the state and the system of legal pluralism. In alignment with Seidman's thesis on the Non-Transferability of Law, central legal norms failed to transform within the Agam context because variables such as Ideology (*Adat Basandi Syarak, Syarak Basandi Kitabullah* or ABS-SBK) and local interests proved significantly more dominant than the state's coercive power.

The convergence of legislative irrationality (Wintgens) and sociological adaptation failure (Seidman) rendered the substance of the Government Regulation (PP) an "alien entity" within Agam's legal cultural order. From a jurisprudential standpoint, any legal substance that fails to adapt to the local *living law* inevitably loses its moral authority. Simultaneously, from a sociological perspective, the forced transfer of urban administrative law into indigenous territories results only in systemic rejection, a phenomenon consistent with previous studies on Minangkabau social dynamics (Addiarrahman, 2019).

The synergy between these two theories provides a comprehensive explanation that the paralysis PP 84/1999 was not merely a technical-operational issue (Fitri, 2007; Welfizar, 2003), Rather, it represented an epistemological failure in legal design, culminating in the phenomenon of legal defeat. Consequently, the emphasis on the substance variable through the perspectives of Wintgens and Seidman proves

that, absent of rationality and cultural compatibility, a legal text remains nothing more than a powerless instrument (L. M. Friedman, 1977, 2009, 2016; Seidman & Seidman, 1994). This cultural compatibility as mentioned above increasingly finds its legitimacy as intended in the Minangkabau custom:

“Inyiak tatap jo pandirian inyiak, ndak cocok inyiak bapisah pisah mode ko, mamacah kampuang se, pacah nagari dibueknyo. Meskipun banyak na lab anggaran nan ka masuak, nan Pembangunan ka sarupo itu juo nyo.”

Translation: So, Inyiak stays with Inyiak’s stance; it does not fit for Inyiak to be separated like this, it just breaks the village, breaks the nagari is what they do. Even though there is a lot of budget that will come in, the development will just be like as it was. (D. Tan Panji, Interview, July 12, 2025)

According to Cotterrell, such socio-legal phenomena must be understood empirically rather than based on the idealistic conditions abstractly envisioned by central policymakers. Empirically, the substance of PP 84/1999 directly contradicted the community’s genuine need for autonomy. Therefore, understanding this failure requires a systematic approach that situates the specific resistance in Agam within a broader theoretical context of the failure of top-down planning logic. From this perspective, the substance of the regulation was not merely a “clerical error” in referencing; rather, it was a legal instrument that remained sociologically alien to the social group it intended to govern (Cotterrell, 1998)

Cultural Agency and Inverted Elitism

The prolonged rejection of PP 84/1999 in Agam Regency, West Sumatra, is not merely a form of administrative defiance but a manifestation of cultural agency and indigenous empowerment capable of compelling institutional disobedience through a model of inverted elitism. This differs significantly from the findings of Afrizal and Berenschot, who observed that local authorities are often coopted by elite interests (Afrizal & Berenschot, 2022). In contrast, this study demonstrates that the moral-sociological sovereignty of the *nagari* community in Agam successfully fractured the structural loyalty of the local bureaucratic elite toward central authority.

Utilizing The Power Elite framework, PP 84/1999 can be identified as a technocratic-positivistic legal product born from a circle of central elites who were disconnected from grassroots aspirations (Mills, 2000). However, instead of functioning as a delegate for the central government, the bureaucratic elite in Agam Regency, pioneered by Regent Aristo Munandar, chose to withdraw from this chain of command. Aristo's refusal to sign the territorial transfer documents, despite massive pressure from the Ministry of Home Affairs, signifies a pivotal role shift from a central delegate to a trustee. In this capacity, he prioritized the integrity of customary territories and the moral economy of the community over hierarchical administrative obedience. (Scott, 1976).

The phenomenon of inverted elitism serves as a sociological response to the legitimacy crisis of state law, which attempted to marginalize the living law. Fundamentally, this disobedience operates through what is termed the dialectic of control (Giddens, 1986). The Agam community consciously utilized its reflexive capacity to "hostage" the local bureaucracy by withdrawing functional support, thereby inducing operational paralysis within the state machinery. The strength of legal culture, deeply rooted in the philosophy of *Adat Basandi Syarak, Syarak Basandi Kitabullah* (literally means "Customs are based on Sharia, Sharia is based on the Holy Book of Allah"; commonly shortened into ABS-SBK), proved to be more dominant than the coercive power of national law (Friedman, 1969). When the community radically rejected the substance of a regulation perceived as "destructive" to the *ulayat* (ancestral land) order, local elites were compelled to choose between their administrative mandates or preserving the cultural dignity (*muruah*) of the *nagari*. Aristo Munandar's success in navigating this space of dilemma is confirmed in his own personal account.

"Ambo tidak akan teken kalau rakyat ko menderit... lah bara kali konsep diagiaban ka ambo tu untuak di tekan, ndak amuah ambo."

Translation: "I would not sign it if it caused my people to suffer... so many times they gave me the documents to be signed, but I persistently refused." (Munandar, Interview, 2025).

This statement serves as a clear empirical manifestation of inverted elitism. The Regent's refusal to sign the administrative transfer, despite multiple attempts and pressures from the central government, was not

a sign of administrative incompetence, but a deliberate political choice. It illustrates the transformation of a state official into a representative of the *living law*, who prioritizes the social welfare and customary integrity of his constituents over the technocratic demands of the central hierarchy.

Using Anthony Giddens' dialectic of control framework, the phenomenon of the Agam community "hostaging" the bureaucracy demonstrates that state power, as manifested in PP 84/1999, was never absolute. This "hostaging" mechanism operated through the withdrawal of functional support by the community's collective agency, which consciously severed the chain of compliance toward governmental structures, thereby inducing operational paralysis within the local bureaucratic machinery. This act of hostaging is, in essence, a manifestation of a potent legal culture, where the community's legal consciousness no longer derives from state regulatory texts but from the authoritative resources of *Adat* and the dignity (*muruah*) of the *nagari* society.

In contrast to conventional social movement studies, which often reduce resistance to political-organizational dimensions (Syawaluddin, 2017), these findings underscore that the success of collective action heavily depends on the legal consciousness of local elites acting as a bridge for cultural agency. The strategy of "resistance through persistence" becomes effective precisely when challengers succeed in building coalitions with segments of the existing power structure (Ewick & Silbey, 2014; Tilly, 2006). In the Minangkabau context, the community's cultural agency transcended mere protest; it transformed into a force capable of dictating state policy, ultimately leading to the enactment of Law 53/2024 as a form of judicial reconciliation. Consequently, the phenomenon of inverted elitism in Agam serves as empirical evidence that state legal hegemony can be neutralized when indigenous communities empower their agency to redefine elite loyalties. This ensures that law does not merely exist on paper (law in books) but remains subservient to the living justice residing within society (law in action) (Pound, 1910).

The Cultural Justification of Disobedience

<i>Tuab Dek Sakato</i>	Success through Consensus
<i>Cilako Dek Basilang</i>	Disaster through Discord
<i>Ingek-ingek nan di ateh</i>	Beware of those at the top,
<i>Di bawab nan kamaimpok</i>	for it is those at the bottom who shall crush you
<i>Tirib kok datang dari lantai</i>	The leak originates from the floor
<i>Galodo kok datang dari hilia</i>	Flash floods originate from downstream

The ideological foundation of the Agam community's civil disobedience against PP 84/1999 is deeply rooted in the Minangkabau philosophy: "*Rajo Alim Rajo Disambab, Rajo Zalim Rajo Disanggab*" (A just leader is obeyed; a tyrannical leader is opposed). This principle conceptually aligns with John Locke's argument in *Of the Dissolution of Government*. Within this framework, the state's sovereignty is deemed to expire the moment it ceases to act for the public welfare (*salus populi*). This underscores that community obedience is fundamentally conditional, rather than absolute (Locke, 1689). Locke emphasizes that state power is legitimate only insofar as it protects the natural rights and property of its citizens. Consequently, when a sovereign violates this trust through tyrannical policies, such as the forced territorial expansion that erodes the identity and integrity of the *nagari* customary unity, the people possess a moral right to revolution (right to resist). In the context of Agam, the "property" being defended was not merely physical land, but the sociocultural capital and communal sovereignty inherent in the *nagari* structure, which the state attempted to dismantle through PP 84/1999 (Locke, 1689). In the specific context of Agam, PP 84/1999 was perceived as a manifestation of the *rajo zalim* (tyrannical ruler) because it disregarded prior agreements and undermined the dignity of the *nagari*. Consequently, the act of *penyanggaban*, or active resistance, acquired a valid moral-ethical legitimacy. This shift in perception transformed civil disobedience from an act of legal transgression into a principled defense of social justice, where the community felt morally obligated to oppose a regulation that violated the fundamental spirit of their communal contract. As the Chairman of MUI, Chairul Huda explained clearly:

“But what becomes the problem there is that our standing position is not clear inside it, what will we become there, what are the rights that we will get, there is no discussion toward that direction. Only harm (mudaraik) will be obtained if the standing position is not clear, like this crooked cucumber, we are indeed included in the sack but excluded from the counting. That is why at that time we from the MUI also rejected that Government Regulation (PP) to be implemented. Our society will be persecuted later.” (C. Huda, Interview, Agust 2025).

Sociologically, the justification for this resistance is also rooted in James C. Scott’s concept of the moral economy. Scott posits that traditional societies will engage in systemic disobedience when their threshold of justice is violated by policies that threaten their subsistence and social order. In the Agam context, the expansion of Bukittinggi was not viewed merely as a change in administrative boundaries, but as an existential threat to the “subsistence ethics” of the *nagari*, where the loss of land and traditional governance structures was perceived as a direct breach of the state’s moral obligation to protect the social and economic safety nets of its customary citizens (Scott, 1998).

The philosophy of *rajo disanggab* (opposing the leader) emerged as a defensive response to the state’s failure to respect cultural identity and local authority. For the Agam community, this ideology of resistance was not merely an effort to preserve material-territorial interests; it was a reaffirmation of cultural identity where dignity (*muruah*) could not be negotiated for the sake of mere administrative efficiency (Scott, 1985). Thus, the resulting disobedience represents a collective endeavor to reinstate the traditional social contract that had been eroded by state regulations that were inherently unilateral and hegemonic.

The convergence of the Lockean social contract and Minangkabau philosophy proves that the disobedience in Agam was anchored by exceptionally robust moral grounds. The community did not perceive themselves as lawbreakers; rather, they viewed themselves as enforcers of sociological justice who were “opposing” (*menyanggab*) a tyrannical policy. This synthesis explains the extraordinary resilience of civil disobedience in the region for decades: the resistance was not merely driven by political interests but was animated by a social ideology asserting that sociological truth must take precedence over enforced formal legality.

A compelling example of this construction is the issue of *ulayat* (ancestral land), which became problematic in the implementation of PP 84/1999. For the Agam community and the Minangkabau people in general, territory is not merely an economic commodity to be exchanged for other models, such as urban paradigms. Rather, it is an integral part of the *lifeworld*, a realm containing collective memory, historical identity, cultural pride, and the sovereignty of the *nagari's* ancestral domain. Their rejection constitutes a resistance against the “colonization of the lifeworld” (Habermas) by a state administrative system perceived as purely mechanistic. In this view, legal legitimacy is not measured by instrumental economic gains but by the alignment of norms with the lived values and moral consensus of the indigenous community. In general, the categorization of the resistance and its accompanying narrative can be synthesized on Table 1 as follows.

Tabel. 1 Typology, Actors, Moral Grounds, and Instruments of Resistance

Typology of Resistance	Key Actors	Moral Grounds	Instrument of Resistance
<i>Institutional Disobedience</i>	Regent of Agam, Regional House of Representatives (DPRD), & Local Bureaucracy.	Loyalty to the people is the supreme law, transcending blind obedience to the central regulation (<i>PP 84</i>).	Refusal to sign the Handover Official Report (<i>Berita Acara Penyeraban</i>) and cessation of all administrative processes.
Intellectual-Legal Resistance	Local Academics & Educated Leaders.	<i>PP 84/1999</i> is legally flawed as it contradicts the Regional Autonomy Law (Law 22/1999).	Academic reviews, formal letters of objection to the Ministry of Home Affairs, political lobbying, and media engagement.
Cultural-Symbolic Resistance	<i>KAN</i> (Nagari Customary Council), <i>BPRN</i> , & the <i>Kurai</i> Clan.	The <i>Nagari</i> and <i>Ulayat</i> (ancestral land) are not mere coordinates; they represent the dignity (<i>muruah</i>) and original identity of the <i>Nagari</i> .	Utilization of customary symbols, grand tribal assemblies (<i>Rapat Akbar</i>), and cultural declarations.

Typology of Resistance	Key Actors	Moral Grounds	Instrument of Resistance
Collective-Sociological Resistance	Local Community, <i>MUI</i> (Ulema Council), & Overseas Migrants (<i>Perantau</i>).	Preventing harm (<i>dar'ul mafasid</i>) takes precedence over promised urban progress; merging with the city would only increase administrative burdens.	Mass demonstrations, water supply sabotage, financial support from migrants, and public pressure via media.

Escalation of Disobedience and the Mechanism of Statutory Dormancy

<i>Patah lidah bakeh kalah</i>	Broken tongue is a sign of defeat
<i>Patah karuh bakeh mati</i>	Broken Kris is a sign of death
<i>Lah abih saba dek baralah</i>	Patience is exhausted from giving in
<i>Dikisa karuh ka pananti</i>	The Kris is shifted to a defensive stance

The enactment of the PP 84 during the political transition of 1999 triggered a “moral shock” that consolidated the collective anger of the Agam community. The society engaged in systemic disobedience known as statutory dormancy, a collective effort to “put the regulation to sleep”, ensuring it could not be factually implemented on the ground. This condition demonstrates the existence of authentic and autonomous forces within society capable of influencing the operation of state law; here, a regulation remains legally valid but loses its social efficacy for over two decades. This phenomenon reinforces the premise that policies and laws are “open documents” that invite interpretation. Laws perceived as unjust by the public may be rendered dormant (statutory dormancy) or cast aside through desuetude. Such a state reveals the latent, authentic, and autonomous powers working within society that actively shape, and at times paralyze, the functional mechanics of legislation (Rahardjo, 2004, 2008, 2010).

From a Habermasian perspective, statutory dormancy can be categorized as the “colonization of the *lifeworld*” by the system. Government Regulation No. 84 of 1999 represents a bureaucratic-administrative logic forcibly imposed upon the sociological and cultural space of the Agam community, bypassing the necessity of communicative action. Habermas, in *The Theory of Communicative Action* (1984), asserts that law attains legitimacy only when it emerges from a discourse

free of domination. When the state severs the channels of communication and consensus with indigenous communities, the law loses its moral validity and transforms into a mere instrument of coercion. This, in turn, triggers a severe legitimation crisis, ultimately resulting in legal paralysis, a state where the law exists formally but is functionally dead.

This legal paralysis transcended a mere clash of values, evolving into a mechanism of the dialectic of control, as formulated by Anthony Giddens. Giddens asserts that even in the most asymmetrical power relations, the subordinated party retains resources to exercise autonomy. In this context, the Agam community did not remain passive subjects; instead, they emerged as knowledgeable agents who consciously withdrew their functional support from the bureaucratic order. Borrowing from Gustav Radbruch, the actions of the Agam community represent a form of ultra-statutory law aimed at correcting state lawlessness. From Radbruch's perspective, The GR had degenerated into a state of statutory lawlessness (*gesetzliches Unrecht*) because it contained an intolerable degree of injustice by disregarding social ideology, identity, customary dignity, and the ancestral rights of the *nagari*.

In this condition, the community appealed to ultra-statutory law (*übergesetzliches Recht*), namely, customary sovereignty and the morality of justice. Therefore, the act of defiance against the regulation was not a legal violation in its true sense, but rather an effort to uphold a higher justice over formal legality. This phenomenon mirrors the classic findings of Yarros (1912) regarding the American social consciousness in the early 20th century, where the community's sense of justice superseded rigid statutory frameworks.

The Triumph of Cultural Agency: Judicial Reconciliation

The zenith of this cultural agency is manifested in the enactment of Law 53/2024, which *de facto* re-establishes the original territorial boundaries and nullifies the influence of PP 84/1999. This success serves as concrete evidence that sociocultural empowerment, grounded in collective legal consciousness, is capable of compelling structural changes within non-deliberative state legal frameworks. This phenomenon underscores that the sustainability of any legal product is fundamentally dependent on its harmonization with the *living law* within the community. In this case, the disobedience reached a level of institutionaliza-

tion, driven by the central government's inconsistent pressures and the persistent resistance from the grassroots (Tarrow, 2011; Tilly & Tarrow, 2015). Ultimately, the civil disobedience of the Agam community did not merely express dissatisfaction; it evolved into a dynamic force that influenced legal structures and substance, compelled policy shifts, and ultimately demonstrated the triumph of cultural legitimacy.

The escalation of resistance in Agam illustrates that the "threat of disruption" inherent in disobedience is capable of demanding political changes that align state law with local societal values. The sociological victory of the Agam community, subsequently legitimized by Law 53/2024 on Bukittinggi City, serves as empirical evidence that within a legal system, legal culture is a determinant variable capable of nullifying substance and paralyzing structures.

It is profoundly appropriate to conclude this section by asserting that the enactment of Law 53 at the end of 2024 marks the final chapter of a protracted drama of civil disobedience in Agam Regency, a phenomenon that can be interpreted as a "legal defeat" for the government or the state. Drawing upon the thought of Luc Wintgens, a law born from irrational legislation, such as PP 84/1999, which neglected social ideology, local identity, ancestral rights, and deep philosophical contemplation, will ultimately lose its authority and efficacy.

The state's withdrawal of the substance of PP 84/1999 is not merely an administrative revision; it is an implicit admission that the state has been defeated sociologically and politically. The state has come to realize that despotic law can never subjugate the popular power embedded within local structures (Wintgens & Oliver-Lalana, 2013).

Conclusion

This study concludes that the failure to implement PP 84/1999 for over two decades was not merely a technical-administrative issue, but a manifestation of organized civil disobedience driven by the cultural agency of the Minangkabau community. This resistance was triggered by a "deliberation deficit" in the regulatory formulation process, which overlooked the territorial integrity of the *nagari* and local sociocultural identities. Such conditions gave rise to the phenomenon of statutory dormancy, where a state legal product loses its social efficacy as it conflicts with the living law collectively upheld by the community.

The agency of the Agam community demonstrates that the empowerment of indigenous societies does not always manifest in anarchic actions; instead, it operates through the strategic utilization of social capital and moral legitimacy derived from the integration of *Adat* and Islamic values. The philosophy of “*rajo alim rajo disambah, rajo zalim rajo disanggab*” (a just leader is obeyed, a tyrannical leader is opposed) provides an ethical foundation for the community to engage in defiance against a legal hegemony perceived as unjust. The success of this agency, culminating in the enactment of Law 53/2024, serves as empirical proof that the sustainability of any regulation is profoundly dependent on the state’s recognition of local aspirations and social structures.

Theoretically, this study enriches the discourse of legal sociology regarding the relationship between the state and indigenous communities in Indonesia. The implications suggest that within a democratic legal system, legal certainty cannot be achieved solely through formal-procedural validity; it must be aligned with sociological validity. Furthermore, this research recommends that future legislative processes concerning territorial boundaries and the ancestral rights of indigenous peoples must prioritize inclusive deliberative models. This approach is essential to prevent similar legal deadlocks and ensure that state regulations resonate with the values of the communities they govern.

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