

# Women's Involvement in Nagari Municipal Land Arrangement

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## ABSTRACT

Women in Minangkabau culture are the heirs of traditional land, but in its arrangement and management, women are not significantly involved. At the level of implementing land registration, privately owned land has run smoothly, but problems often arise in managing customary land, both community customary land and Nagari customary land. This research aims to analyze women's involvement in managing Nagari traditional land. The research was conducted in Nagari Sungai Kamuyang, Limapuluh Kota Regency, using a qualitative approach. The analytical tool used is Anthony Giddens' structural theory. The research results show that women's involvement in managing communal land is greater during consensus deliberation events. Women were more involved at the beginning of the activity, but men mostly carried out the implementation. In discussing the agreement to make Nagari Sungai Kamuyang a pilot project, women were invited to occupy the bundo kanduang position

there as nagari officials. Women are no longer involved in determining boundaries in the field, and there is polarization in the division of labor between men and women. At the same time, discussions in forums ranged from socialization activities to building an agreement to make Nagari Sungai Kamuyang one of the pilot project locations for customary land management. The women present met and joined in the conversation. When a field assistance team was formed to determine land boundaries and land measurements by BPN, BPN was involved for a longer time.

## 1. INTRODUCTION

The heirs of ulayat land in Minangkabau culture are women, this shows the large role of women in relation to land, however, in implementing the structuring and management of ulayat land in nagari land, men's involvement seems to be more dominant. The men are involved from start to finish, but the women don't seem to be as fully involved as the men. It is interesting to examine women's involvement in the nagari customary land management pilot project in West Sumatra. Is the involvement of women in line with cultural values towards women themselves, considering that there have been many social changes related to the use of ulayat land (*pusako tinggi*). Land management in Minangkabau is regulated in a concept known as the concept of customary rights. This is also in line with the mandate of Article 3 and Article 5 of the Basic Agrarian Law (UUPA).

According to Minangkabau customary values, the power or authority that customary law communities have over certain areas or spaces which constitute the living environment of their citizens to enjoy the benefits of natural resources for their survival arising from the physical and spiritual relationships passed down from generation to generation. from their ancestors to the present generation passed on to future generations. It can be interpreted that customary rights are the highest control rights over territory and space in Minangkabau, both spaces in the smallest environments such as the Parik area and customary areas, as well as spaces that are jointly owned by the community such as nagari.

In the Minangkabau context, the definition of ulayat land in question is ulayat clan land and ulayat nagari land. Ulayat clan is defined as inheritance passed down from generation to generation, the rights of which are owned by women, but as the holder of the rights to customary land is the head of the heir's household. One of the unique concepts of land management in Minangkabau is that it views land not only as an economic resource, but also as a determinant of kinship relationships. Ulayat nagari is used for the

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welfare of the nagari community, inherited institutionally. For the Minangkabau people, land not only has an economic function which is processed to fulfill all life's needs, but is also related to a socio-cultural function in the sense that land is one of the important things in determining the kinship of a person or group. humans in social and religious life. As an economic resource, customary land is used for the welfare of the nagari and the welfare of the nagari (village) children, provided that they must pay attention to preserving nature and preserving it for future generations. In a socio-cultural context, traditional land is identified with the matrilineal system adopted by the Minangkabau people, as a determinant of kinship ties, as an identity that determines whether or not someone is genuine in the traditional lineage. Land is used to improve the economy of nephews and nieces in one *pulauk*, one tribe and even in one nagari where the head of the inheritance and *bundo kandung* are the parties responsible for coordinating it.

Land ownership is not only recognized individually by the state, but also communal land ownership, including customary law communities. The Minangkabau community is one of the original tribes or tribes in Indonesia. The culture and customs that are still attached to the life of the Minangkabau indigenous people are still believed and adhered to until now. The traditional philosophy that the Minangkabau community believes in is: "*adat basandi syarak, syarak basandi kitabullah*" The Minangkabau community is an agrarian economic society that utilizes the land as a source of livelihood, such as gardening, paddy fields, and farming. Even in Minangkabau custom, if a group or community does not own a piece of land, then it is considered lacking or also called *malakok* (floater) whose origin is unclear. According to (Noorhayati et al. , 2017 :219 ) the concept of ownership according to Minangkabau customary law refers to the matrilineal system, which is the genealogical factor that forms the foundation of Minangkabau society through the maternal line.

Therefore, based on existing customary provisions, inheritance is shown on the land. In terms of customary land ownership in Minangkabau, it is not individual, but is jointly owned, namely belonging to the tribe and nagari. Customary land is passed down from generation to generation by the founders of the nagari to the next generation, the inheritance is given in its entirety and is not divided. Customary rights are the highest rights in Minangkabau which are held by the headman, nagari, tribe, clan and several nagari. Customary land cannot be sold or simply lost. The types of *ulayat* land of the Minangkabau community based on the Minangkabau Ulayat Land Regulations are: Ulayat communal land, Nagari *ulayat* land, and *rajo ulayat* land. So Minangkabau Ulayat Land in the concept of ownership is included in the narrow sense, namely in the form of property that is classified as high heritage which has legal power both externally and internally, and can be utilized by members of the community or outside the community by giving. they take the form of *customs filled with poured rubbish*. (a gift in the form of money by a third party who manages and controls customary land, to traditional authorities and/or owners based on community agreement).

The development and progress of the community's national economy makes the existence of land very important (urgent) in community life. So talking about land issues or land ownership rights in society is a very sensitive issue where land disputes and cases often occur. Therefore, it is necessary to guarantee legal certainty in the land sector to minimize the emergence of land disputes, especially land ownership rights. Through land registration, the National Land Agency will issue land certificates and land books. Land title certificates are strong evidence as confirmed in article 19 paragraph (2) letter c UUPA and article 32 paragraph (1) government no. 2 Years Regarding Land Registration. Land registration as an implementation of Article 19 UUPA is the government's effort to provide guarantees of legal certainty and protection, namely to individuals or legal entities regarding the location, boundaries and area of a plot of land (object of land rights), and guarantees of legal certainty regarding land rights. Through land registration, land rights holders will obtain proof of their land rights, namely a certificate. With a certificate, the holder of land rights will be guaranteed the existence of his rights. By granting Management Rights over Ulayat Land to the Customary Law Community Unit, in this case the Nagari Indigenous Community , the recipient of Management Rights, in this case the Indigenous Community, will obtain: 1) The existence of a rights basis as a form of legal certainty for the Kamuyang River, Nagari Customary Meeting over customary land. which has been registered with the state; 2) Customary land can be used for other rights in collaboration with third parties as business owners in the form of Business Use Rights, Building Use Rights, and Use Rights; 3) Avoid and mitigate future conflicts regarding subjects, objects and legal relations regarding customary land control in the Kamuyang River; 4) Providing an increase in the existence of customary law community values regarding the natural wealth they possess. 5) Providing benefits for improving community welfare in the economic and social fields; 6) The creation of orderly land administration for all land agencies in Indonesia. By granting Management Rights over Ulayat Land to the Customary Law Community Unit, in this case the Nagari Indigenous Community, the use and exploitation of the customary land can be in the form of: 1) Use and utilization of customary land

for mixed and rice plantations. fields that have been cultivated and managed directly by the Nagari Traditional Council and the results can be given to the welfare of the community in Nagari Sungai Kamuyang. 2) If at any time customary land has sufficient economic value in the form of plantation and ecotourism demonstrations, then Kerapatan Adat Nagari can collaborate with third parties as business owners in the form of Business Use Rights, Building Use Rights and Use Rights. When the cooperation period has ended, it will return to the control of the Indigenous Law Community, namely the Nagari Indigenous Community; 3) Customary land in Nagari Sungai can also be developed and utilized through activities in the livestock sector such as laying hen farming, broiler chicken farming and dairy farming; 4) Traditional land in Nagari can also be developed and used for tourism activities such as paragliding and other natural tourism which can attract both domestic and foreign tourists.

Research (Pariaman et al., 2021) on "Model for Mapping Traditional Land Use Patterns in the Rantau Area in the Modern Era", found that spatial planning of inherited land based on a customary law (ulayat) approach provides unclear spatial planning and structuring. Meanwhile, the proposed alternative land management model uses a customary law study approach with *analysis of kinship/ranji relationships*, land management regulations take the form of consolidation as a form of management approach to establish land efficiency control. Research (Widowati et al., 2014) regarding "Legal Protection of Indigenous Peoples' Land Rights (Study at the Stabat National Land Agency Office)", shows that the law has stipulated that the state will recognize and respect existing customary law community units and their existence, traditional rights as long as they are still alive and within the foundation of the Unitary State of the Republic of Indonesia. The provisions of Article 18B Paragraph (2) state that the State declares its recognition of the subject of customary law and its traditional rights (Yuhelna, 2017). Looking at women's struggle against control of customary land by men in Minangkabau, it was found that men's control over customary land is still high. So women must have a strategy to fight for control or use of land for economic improvement by women's groups. The strategies used include influencing *ninik mamak* not to sell their customary land, secondly, they make a petition not to approve mining activities on their customary land and selling their customary land. They gathered among women to prevent the unilateral use and sale of communal land. Meanwhile, (Jannah et al., 2022) looking at the existence of customary law communities and the dynamics of customary land in East Manggarai, found that the existence of customary law communities tends to weaken. The existence of customary land still exists, but the amount is decreasing, there are even villages that no longer have customary land. Meanwhile, this research tries to see the involvement of women in managing nagari customary land.

The arrangement and use of customary law community land in villages has quite unique dynamics. This is because the management of the customary land itself is neglected so that sometimes it changes hands to other parties. Social changes that occur in society sometimes shift the prevailing values and norms related to communal land itself. So, to examine this, this research will be guided by Anthony Giddens' structuration theory. According to structuration theory, actions taken are not only based on the agent's desires, but are influenced by structures that are outside the individual. Structure is the rules, values, norms that apply in society, which are always reproduced and changed according to space and time. This structure is sometimes empowering and sometimes limiting.

Based on the background above, it can be seen that nagari traditional land has broad functions. The existence of communal land will provide benefits for improving the welfare of the nagari (village) community. Ownership and procedures for its use are based on customary rules that apply in each region (village). So far, much of the research carried out is related to the existence of customary land, and the dynamics of customary land use. Meanwhile, this researcher wants to see the involvement of women in the arrangement and use of Nagari traditional land, in connection with the presence of women as *bundo* elements. *kandung* in Nagari, especially as women are the owners and heirs of customary land according to matrilineal customary values in Minangkabau.

## 2. METHOD

This research uses a qualitative approach. The qualitative approach is intended to provide an in-depth, systematic, factual and accurate description of the facts and relationships between the phenomena studied. This descriptive research attempts to describe and explain in detail the problem under study, namely how the customary land administration model is based on local institutions. The purpose of being based on local institutions here is to utilize local wisdom and institutions that still apply in Nagari. By using a qualitative approach, it is possible to explore knowledge, understanding and ideas from informants who have experience in managing and utilizing their customary land.

Data collection was carried out using in-depth interviews, observations, documentation studies and *Focus Group Discussions (FGD)*. Interviews were conducted with informants to obtain data about

knowledge, opinions and reasons for doing something. If we pay attention (Afrizal, 2014) What is meant by in-depth interview is an interview conducted by the researcher without preparing a series of questions and alternative answers before conducting the interview, but rather based on general questions which are then detailed and developed during the interview or after conducting the interview to conduct the next interview. According to (Afrizal, 2014) Observation is the activity of directly observing objects being studied in the field using the five senses. To find out what happened, researchers need to see, listen, or feel for themselves what actually happened. The type of observation used in this research is *participant observation*, which is a data collection technique where the researcher is involved in every activity regarding the object being studied. *Focus Group Discussion (FGD)* is an information gathering technique used to explore further information or confirm existing data in the group, which is carried out in formal or informal discussions. *Focus group discussions* were conducted by inviting 5 to 7 community leaders. *The Focus Group Discussion* is planned to be held at the Wali Nagari office or a meeting place such as a prayer room. Researchers were also involved in meetings held by the nagari traditional council with the nagari government in the nagari pilot process of the customary land management project in Nagari Sungai Kamuyang. Research methods consist of: data psychology, data collection methods, data analysis, and data visualization. The document should contain sufficient detail to enable the reader to evaluate the suitability of the method and the reliability and validity of the findings.

### 3. RESULTS AND DISCUSSION

This research was conducted in one of the nagari which was used as a pilot project for customary land management of the Ministry of ATR-BPN in Nagari Sungai Kamuyang, 50 Kota sub-district. One of the villages that has quite extensive customary land in Limapuluh Kota Regency. According to history, in 1925 Sungai Kamuyang officially became a Nagari with the Guardians of Nagari Cauah Dt. Bagindo Simarajo, by dividing his territory into nine Jorongs, until now. The nine jorongs and their areas can be seen in Table 1.

**Table 1.** Jorong in Sungai Kamuyang

No		Area (Km2)
1	Sabaladuang	7.50
2	Tabiang	4.52
3	Tanjung Kaliang	1.33
4	Batang Tabik	1.06
5	VI Village	0.95
6	VIII Village	1.50
7	XII Village	0.75
8	Rageh	7.00
9	Madang Kadok	5.76

The inauguration as a Nagari was celebrated in a baralek panghulu manner (celebration of the appointment of the headman) for 27 Heads of the Clan. Then Baralek Panghulu in 1957, under Wali Nagari S. Dt. Bagindo Basa, to return Panghulu who was free from Japanese occupation. Finally, in 1986, under the leadership of S. Dt (datuak) Bagindo Basa as Chair of the Kamuyang River Nagari Adat Meeting (KAN), the Penghulu Alek held, which is said to be the largest alek in West Sumatra, inaugurated sixty Penghulu and led by the Chair of the West Sumatra LKAM and attended by the Governor of West Sumatra at that time, Mr. Ir. H. Azwar Anas. Dt. Rajo Sulaiman. The Nagari Sungai Kamuyang Traditional Council is a nagari level Minangkabau traditional institution tasked with maintaining and preserving Minangkabau customs and culture. KAN consists of various elements in a nagari such as: a) Penghulu or datuk of each tribe in Nagari Sungai Kamuyang. b) Manti or Cadiak Pandai is an intellectual circle in Nagari Sungai Kamuyang. c) Malin or Alim Ulama in Nagari Sungai Kamuyang. d) Dubalang or security guard at Nagari Sungai Kamuyang. With the formation of the Nagari Sungai Kamuyang Traditional Council as a traditional representative body in Nagari Sungai Kamuyang, all forms of legal action in the management of nagari assets become the responsibility of the Nagari Sungai Kamuyang Traditional Council. If interpreted in the legal act of controlling customary rights in Nagari Sungai Kamuyang, then the Indigenous People of Nagari Sungai Kamuyang are legally responsible as legal subjects in controlling customary rights in Nagari Sungai Kamuyang. The female element in the nagari is represented in an organizational forum called bundo kundang, in various activities in the nagari, bundo kundang is involved. At the first socialization event to discuss plans for pilot project activities for structuring communal land in the Kamuyang River, Bundo Kundang was invited.

## Steps, Process and Obstacles in Administration of Ulayat Land in Nagari Inter-Agency Coordination

After conducting socialization, so that there is a common perception between the community, community leaders and the nagari government, the next step taken is inter-institutional coordination. What is meant by institutional here is the institution that will be involved in structuring customary land. The ulayat land in question is ulayat nagari land, but at the community level there are still misunderstandings. The misunderstanding in question is the subject of land and land nagari government or *kerapa tan adat nagari*. If what is meant by the subject of customary land ownership is the customary law community, culturally what is meant by customary law community (MHA) is the adat density of the nagari, in Minangkabau culture this institution is a collection of *niniak mamak* as a representation of the entire community in the nagari together with other existing elements of society in nagari. Apart from consisting of *niniak mamak*, the KAN management also involved elements of society such as *ulama*, *bundo kanduang*, and *cadiak clever* in nagari. For this reason, good coordination is needed between the nagari government and the nagari customary law community.

In the initial process in nagari Kamuyang River, there are two opinions in the community, one party is of the opinion that the subject of customary land ownership is the nagari government, on the other hand there are also those who are of the opinion that the subject of customary land ownership is the nagari customary meeting (KAN). For those who think that the subject of ownership of ulayat land is the nagari government, the reason is that the nagari will coordinate the use of ulayat land. Those who argue that the subject of ulayat land is the nagari customary densities because the inheritance is in the form of ulayat nagari, the land in the nagari is owned by *niniak mamak* or nagari adat densities. After discussions with parties such as BPN, including university elements involved in the Nagari customary land management pilot program, an agreement was reached that the subject of customary land ownership is the Nagari customary law community, because the recognition of customary land ownership is carried out by means of public customary law. So what is more appropriate as a subject of nagari customary land ownership is the Nagari Customary Village (KAN). The nagari's ulayat land is still controlled by KAN, even though its use is carried out by the nagari government, this does not mean that the nagari is the owner or subject of ownership of the nagari. The first coordination step was carried out, forming a team at the nagari level. This implementation team aims to coordinate the implementation of the nagari customary land administration process. First, the nagari must carry out a boundary delimitation process, the wider the nagari's customary territory, the higher the possibility of involvement of various land owners (commensurate). The team formed will carry out tasks including: (1) preparing field personnel whose job is to determine the boundaries. In determining these tasks, people are needed who understand the existence of customary land. In Kamuyang River, determining the customary land planning team was carried out in a coordination meeting between the nagari government and all members of the nagari density, so that it was agreed by the nagari customary land planning committee, which had ten members. members of the nagari density and also involving nagari government officials. The team that has been formed divides tasks regarding boundary-setting activities in the field. The committee invited several people who knew about the existence of customary land. During the journey, it turned out that additional personnel were needed because sometimes those appointed did not control the land boundaries in the field. This addition was based on an agreement, based on information from the appointed team that there were parties who knew more so the committee had to contact additional personnel to help. (2) The next step is for the committee to provide a limiting instrument, the limiting instrument is in the form of a stake. In the socialization, it was stated that boundary markers could be made of concrete with dimensions of 50 cm high and 40 cm wide, but could also be made of iron and then painted red or could also be used. paralon pipe with a note on the mold of the paralon contents. The point is that boundary benchmarks are something that is easily visible and can function over a long period of time. Nagari Sungai Kamuyang chose to use iron pipes that had been cut according to needs. The equipment needed apart from boundary markers is also a sharp weapon in determining boundaries.

The role of women in this session seemed small. Women as community leaders were seen present at the initial meeting. Coordination is carried out in several stages, starting from socialization, field activities, and activity evaluation. The presence of women was visible from the start, especially during initial socialization and coordination. It is said to be initial coordination, because in the field coordination is being carried out again. When women give advice, and when they appear critical, a sense of power arises from men who hold the title of *panghulu* (*datuak/ninik mamak*). *Penghulu* said that if women do not know much about the function of communal land, then women are forced to remain silent. This figure appears to be utilizing the values of empowerment towards men, the value that men are responsible for field activities, even though in fact women have a lot of information regarding the use of customary land.

### **The Role of the Nagari Traditional Meeting (KAN) and Bundo Kandung**

KAN is a traditional institution in Minangkabau at the nagari level which is tasked with maintaining and preserving the customs and culture of the nagari. From sub-district to provincial level, there is a traditional institution that coordinates KAN, namely the Minangkabau Natural Customary Meeting Institution (LKAAM) from sub-district to provincial level. KAN consists of various elements in the nagari such as: a) Penghulu or datuk of each tribe in Nagari Sungai Kamuyang. b) Manti or Cadiak Pandai is an intellectual circle in Nagari Sungai Kamuyang. c) Malin or Alim Ulama in Nagari Sungai Kamuyang. d) Dubalang or security agency in Nagari Sungai Kamuyang. With the formation of the Nagari Sungai Kamuyang Traditional Council as a traditional representative body in Nagari Sungai Kamuyang, all forms of legal action in the management of nagari assets become the responsibility of the Nagari Sungai Kamuyang Traditional Council. If interpreted in the legal act of controlling customary rights in Nagari Sungai Kamuyang, then legally the Indigenous Peoples of Nagari Sungai Kamuyang are responsible as legal subjects in controlling customary rights in Nagari Sungai Kamuyang. In order to realize the Customary Land Administration Pilot Project activities in Nagari Sungai Kamuyang with the support of the Ministry of ATR/BPN, it is necessary to explain the Allocation, Utilization and Utilization of the traditional land in Sungai Kamuyang village when it will be implemented. held. will be managed and then given Management Rights over customary land as stated in Article 4 PP Number 18 of 2021 concerning Management Rights, Land Rights, Land Arrangement and Registration.

Bundo Kandung is a traditional organization of women's leaders in Minangkabau. This group is a forum for one element of society in Minangkabau, as is the Nagari Traditional Council (KAN). Decision making will not be complete if it does not involve Bundo Element Kandung as a representative of women in society. In practice, these two institutions are not equally involved in communal land management activities, the gender bias that occurs in society has an influence here, namely that women take care of the domestic sector, while men take care of affairs outside the home. This is also what differentiates this research from previous research, Pariaman et.al (2021) which looked at the arrangement of customary land from a technical perspective, it is related to spatial planning. Examining the presence of women in traditional institutions can increase understanding of the role of women in structuring customary land.

### **The Role of Women in the Arrangement Program Nagari Ulayat Land**

The initial step taken in the nagari customary land management program is outreach to the community and stakeholders within the nagari, sub-district and 50 City Regency governments. Socialization was initially carried out at the level of community leaders spread throughout Jorong in Nagari. The idea is that community leaders and jorong heads can carry out outreach and provide understanding to the community regarding the nagari customary land management plan. What is meant by structuring is the process of determining customary land boundaries, land registration, discussing plans for the use of customary land to increase *the income of* customary land owners (nagari). The socialization activities which were originally planned at the community leader level could not stop there, but the community requested that the socialization be carried out at a wider community level. This socialization was carried out in order to provide information and understanding regarding procedures for managing nagari customary land and efforts to increase the added value of customary land. During this socialization, doubts emerged from various parties regarding the community's response to the process of determining communal land objects. These doubts include, among other things, land boundaries, which so far have not yet taken the form of objects, but most of them have taken the form of customary agreements. Apart from that, this plot of land is part of the nagari customary land and has previously collaborated with various parties, both individuals and companies. Another doubt is who is the subject of the nagari customary land, the nagari government or the Nagari Adat Village (KAN). The dynamics that occurred made program managers aware that socialization could not be done in a hurry.

In the end, this socialization activity was carried out more than twice, which was originally scheduled once. If sociologically, socialization is defined as the process of instilling values in individuals in society, then socialization does require a longer time, because it involves understanding and the process of equalizing perceptions in society. Socialization should be carried out by a neutral party, so that it is easier to internalize values if the interests of certain groups are not visible to the people who receive them. From observations of several socialization events, there are differences in perceptions and misunderstandings at the community level regarding the planned nagari customary land administration program. If the source does not come from a neutral camp, there is a high possibility of resistance at the community level. The socialization material also determines whether the public will accept it sooner or later, because land planning is a sensitive matter and attracts the attention of many people. It seems that what is asked more frequently during socialization is what are the benefits of structuring and registering nagari customary

land. Misuse of land certificates will not occur, because so far the public has seen many incidents of misuse of certified land certificates. It was the bad experiences in the past that caused the high community concerns about the customary land program. Experience shows that after socialization is complete and there is a common understanding at the community level, it can be continued to the next stage.

In this process, it was seen that many women were present, participating in expressing their opinions and conveying their feelings and concerns regarding the arrangement of ulayat land. Several cases of *ninik mamak* controlling and treating customary land as they please have caused disappointment among one of the female leaders. However, the habit of men often dominating decision making appears in this event. Men refute women's opinions on the grounds that men think they know more than women. Cultural barriers are seen for women to provide resistance, in contrast to the results of research by Yuhelna (2017), that women's struggle over environmental issues, which is separated from the cultural context, makes women more free to submit their demands and struggles, including influencing *ninik mamak* not to sell customary land. communal.

### **Determination of Boundary Marks and Measurements**

The next step after the socialization activities is determining the land boundary markings. Determination of land boundaries in the land registration process is carried out by determining a time agreed upon by both parties. In accordance with the rules for determining land boundaries, land boundaries are determined by establishing land stakes agreed upon by both parties. If the plot of land is small then entering into an agreement with equal parties is not difficult, but if the plot of land is large. So determining land boundaries involves many parties. When many parties have to be involved, at this stage there are no longer visible women involved. When confirmed, it turned out that men thought field work like this was not women's business. Meanwhile, delimitation is very important in determining the exact area and position of land that has the potential to cause conflict in the future.

Measurement is the next step in the technical process of implementing ulayat nagari and its implementation is carried out by the West Sumatra regional land office assisted by the fifty city district land offices. Measurements were carried out by a measuring team at the West Sumatra regional land office in the field of measurement. For Nagari Sungai Kamuyang, the measurements were accompanied by Ninik Mamak and the Nagari government. Although the process of measuring privately owned land is only carried out by local land office officials, the measurement of nagari customary land cannot only be carried out by land office officials, but must be accompanied by the nagari traditional authorities and the nagari government. The aim of involving the nagari traditional community and the nagari government is to facilitate the process in the field because land boundaries relate to many people, both individual land and customary land. Apart from involving the density of nagari customs and the nagari government, jihadists (commensurate) are also present on every side of the border. The presence of jihad is to guarantee the existence of a final boundary marker after the previous boundary marker has been installed by the land owner, in this case the ulayat belonging to the nagari. The stakes installed are sometimes removed on the grounds that the boundaries installed are not in accordance with the jihad agreement. At the time of measurement it also no longer involved women. Although the reason the land office involved the community was to anticipate and avoid conflict, at that time no one suggested that women should be involved. The value that the farm is a man's business also emerges at this stage. It can be seen that what Giddens said that values are reproduced based on space and time appears in this case, in relation to decision making, the dichotomy of women taking care of domestic matters appears, however, in agricultural work, men prefer if field work is done by women.

### **Land registry**

Land registration is aimed at land computerization, a computerized land service system. The process starts from submitting an application for land registration that has been measured. Application for land registration in Sungai Kamuyang village carried out by the traditional authority of the village. The purpose of registration is to obtain a land plot map (PBT). The publication of a map of a land parcel means that the land already has a legal basis. In this land registration, the Land Agency, both the fifty city district land offices, the West Sumatra provincial land office, and the Ministry of ATR/BPN provided support and assistance so that significant difficulties did not occur up to the land registration stage. The next step is the HPL application by the land owner. HPL or land management rights to provide benefits and added value for customary law communities, is evidence that can be used by owners to increase the benefits of land by collaborating with other parties. With the HPL, customary land owners have certainty of rights, and cooperation partners (third parties) are confident in collaborating on land management with customary land owners.

In Nagari Sungai Kamuyang, it is agreed that the land owner in the land registration letter until the certificate is issued is the customary law community (KAN) as the representative of the customary law community in Nagari. Its management can be carried out by the nagari government, but ownership is under the authority of the nagari customary authority. At this stage, male dominance is also seen, so there is almost no female involvement. The women emphasized that this was their habit, even though they were actually disappointed with this method. Based on the norms and values prevalent in society, women have no intention of challenging the methods of male-dominated community leaders.

#### 4. CONCLUSIONS AND RECOMMENDATIONS

Ulayat structuring requires the involvement of various parties in the nagari, including the bundo kanduang. Involvement of bundo kanduang (female) Many occurred in the early stages of the Nagari customary land structuring program, at the stage of determining the location of the pilot project for structuring Nagari customary land, socializing the program and planning the use of Nagari customary land. In the implementation stages of boundary delimitation and land measurement, up to utilization, women are less involved. This reflects that in the eyes of men, field activities related to land management are not the domain of women. The stages of implementing customary land planning require several stages of activities involving various elements of society in the nagari (village), this aims to build agreement in determining customary boundaries and expedite the measurement process. There is a dichotomy in the roles of men and women in carrying out program activities related to activities in the field. This also provides an opportunity for policy changes by men regarding what has been mutually agreed upon in the meeting forum.

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#### 6. REFERENCES

- Afrizal. (2014). *Qualitative Research Methods*. Jakarta: PT Raja Grafindo Persada.
- Ali, A. (2008). *Revealing Legal Gaps*. 2nd printing. Bogor: Ghalia Indonesia.
- Arianedy, R. (2023). Legal certainty over the land of the Minangkabau community in West Sumatra. Supreme Court of the Republic of Indonesia.
- Bungin, B. (2003). *Qualitative Research Methodology*. Jakarta. Rajawali Press.
- Chambers, R. (1985). *Rural Development: Putting the Last One First*. London: New York.
- Cayaray, S. (2014). *Special School Library Service Model*. Indonesian education university.
- Caroline, P. (2016). Political Index and Direction of Democratic Development in Indonesia. In *National Seminar II Faculty of Social and Political Sciences Andalas University "Strengthening Social Sciences and Humanities to Improve the Character of the Indonesian Nation."*
- Erwin. (2011). Utilization of Ulayat Land that is Beneficial for the Community. *Society, Culture and Politics*, 24 (2), 98–108.
- Friedman, J. (1992). *Political Empowerment of Alternative Development*. Blackwell Publishers. Cambridge, USA.
- Horton, P. B., & Chester, L. H. (1984). *Sociology, eighth edition*. Michigan: McGraw-Hill. Translation into Indonesian, Paul B. Horton and Chester L. Hunt, 1993. *Sociology*. Translation by Aminuddin Ram and Tita Sobari. Jakarta: Erlangga Publishers.
- Harahap, A. (2020). *Legal Protection of Land Rights of Customary Law Communities (Study at the Stabat National Land Agency Office)*.
- Indradin & Gusmini. (2017). *The Role of Local Institutions in Realizing Food Independent Nagari for Poverty Alleviation*. 7(2).
- Indraddin. (2019). *Local Community Institutional Empowerment Model Facing Mandeh as a Culinary Tourism Village*. Faculty of Social Science and Political Science. Andalas University . Padang.
- Ife, J. (2006). *Community Development: Alternative Community Development in the Era of Globalization (Terj)*. Yogyakarta: Student Library.
- Jannah, W., Salim, M.N., & Mujiburohman, D.A. (2022). The Existence of Customary Law Communities and the Dynamics of Ulayat Land in East Manggarai. *Journal of Social Sciences and Humanities*, 11 (2), 213–232. <https://doi.org/10.23887/jish.v11i2.41006>
- Ife, J., & Tesoriero, F. (2008). *Community Development: Alternative Community Development in the Era of*



- Globalization. Third Edition, Yogyakarta: Student Library.
- Moeleong, L. (2004). *Qualitative Research Methodology Revised Edition*. Bandung: PT Teen Rosdakarya.
- Margaret, M. P. (1984). *Contemporary sociology*. Jakarta: CV. Rajawali
- Murtadha, M. (2012). *Society and History*. Yogyakarta: Rausyanfikir Institute.
- Mahrta, A. L. (2013). *Customary Land and Its Use for Investment Development in Indigenous Law Communities, Faculty of Law, Pattimura University*.
- Nishikawa, K. (2023). Nagari Expansion: Transformation of Traditional Villages in Pesisir Selatan Regency. *Journal of Civic Education*, 6 (2), 81–91. <https://doi.org/10.24036/jce.v6i2.964>
- Oktavia, AM (2019). Behavioral Regulations for Utilizing Ulayat Land in the Spatial Planning of Cultural Heritage and Distribution Patterns in the Case Study Area of Head of Nagari Korong Tarok Hilalang. *ReTII*, 2019 (November).
- Pulungan, M. S. (2023). Examining the Past, Planning for the Future: History of Customary Land Law and Models for Handling Social Conflict. *Law: The Law Journal*, 6 (1), 235–267. <https://doi.org/10.22437/ujh.6.1.235-267>
- Putri, R. R. (2012). Constitution and Customary Law Communities: Examining the Recognition and Protection of Economic, Social and Cultural Rights of Customary Law Communities in the 1945 Constitution of the Republic of Indonesia. *Padjadjaran Law Review*, 5 (35), 1–16.
- Sulfan, S. (2018). The Concept of Society According to Murtadha Muthahhari. *Aqidah-Ta: Journal of Aqidah Science*, 4 (2), 269–284.
- Sari, E. N, Yamin, M., & Ikhsan, E. (2022). The Role of Dalihan Natolu in Resolving Ulayat Land Disputes for Procurement of Public Interests in Humbang, Hasundutan Regency. *Al-Hikmah Journal of Law and Society*, 3 (2), 358–367.
- Widowati, D. A., Luthfi, A. N., & Guntur, I G. N. (2014). *Recognition and Protection of Indigenous Peoples' Rights to Land in Forest Areas*. Yogyakarta: Center for Research and Community Service, National Land College. National Land College.
- Yahya, I., Warman, K., & Andora, H. (2023). *Registration of the Transfer of Land Owned by People Who Have Been Registered in the Name of Mamak Chairman of the Waris of Padang City*. 6 (1), 1645–1658.
- Yuhelna . (2017). Women's Struggle Against Control of Ulayat Land by Men in Minangkabau. *Journal of Moral and Citizenship Education*, 1. <https://doi.org/10.24036/8851412020171262>
- Zulqayyim, ZZ &. (2015). The Collapse of State Domination in the Ombilin Sawahlunto Coal Mine. *Mamangan Journal of Social Sciences*, 1 (2), 15–26. <https://doi.org/10.22202/mamangan.v3i2.95>