

## TRANSFORMATION OF MARGA GOVERNANCE IN SOUTH SUMATRA: A COMPARATIVE ANALYSIS OF THE DUTCH COLONIAL ERA AND THE REPUBLIC OF INDONESIA, 1825-1983

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### ABSTRACT

*This research examines the significant transformation of the clan governance system in South Sumatra under two distinct power regimes: the Dutch colonial period and the Republic of Indonesia (1825–1983). Despite the clan being a well-established customary institution in local governance, limited research has systematically analyzed the dynamics of its administrative transformation across the two periods, particularly regarding contemporary state pressures and institutional reconfiguration. This research aims to address this gap by examining the processes of co-optation, adaptation, and de-institutionalization of the clan system by the state, employing a historical approach within the theoretical frameworks of historical institutionalism and institutional isomorphism. The employed methods consist of heuristics, source criticism, interpretation, and historiography. The findings indicate that during the colonial era, the clan system was not eradicated but rather institutionalized within the colonial governance framework via an indirect administration approach. During the era of the Republic of Indonesia, this system was integrated into the administrative village framework through a centralization policy; however, the values and social practices of the clan persisted at the local level. This study concludes that institutional change is intricate and results in a hybrid configuration that exemplifies the coexistence of formal state systems and local customary systems.*

**Keyword:** Marga governance, Institutional transformation, Local government, South Sumatra

### INTRODUCTION

Indonesia is an archipelago abundant in cultural diversity, particularly regarding local governance systems that evolved prior to the advent of colonialism. Communities have established governance frameworks in numerous areas rooted in traditional customs tailored to local values, geographical contexts, and enduring socio-political dynamics (Siswanto, 2018). The Minangkabau community acknowledges the nagari system, the Balinese established the customary village system, and the South Sumatra region developed the marga government system.

The marga government system in South Sumatra is a traditional socio-political institution that operates as a kinship and local administrative entity. Clans possess an authentic, traditional leadership hierarchy, a distinctly delineated territorial domain, and a

codified set of customary regulations governing communal existence. Decision-making occurs collaboratively through deliberation and consensus, embodying the tenets of local democracy that honor the authority of traditional elders and the intergenerational transmission of cultural values (Frengkiy, 2020).

Clans serve not only as a means of kinship identity but also play a crucial role in resolving customary disputes, managing natural resources, and regulating community social life (Alauwiyah et al., 2025). Marga governments have been documented since the pre-colonial era. However, their administrative framework was reinforced during the Dutch colonial period, which regarded this system as efficient for exerting control over inland regions via indirect rule (Amaliatulwalidain, 2018).

In the colonial era, the Dutch government incorporated local institutions into the colonial

administrative framework to enhance control over the colony (Lionar et al., 2020). One manifestation of this strategy was integrating the marga governance system entrenched within local communities. Marga chiefs, once customary leaders with cultural legitimacy, were integrated into the colonial bureaucracy as local rulers or representatives of the colonial government (Adhuri, 2014). The Dutch established traditional frameworks in the hinterlands to enhance tax collection, labour mobilisation, and social control.

Incorporating the marga system into the colonial framework directly altered the dynamics of interactions between indigenous populations and the colonial government. Relationships that were initially cultural and organic transformed into bureaucratic and subordinate structures. Marga chiefs now safeguard their communities according to customary law and perform administrative duties aligned with colonial interests. This alteration engendered ambivalence in the marga leader's role, who maintained a traditional function while integrating into a foreign power structure. Consequently, marga institutional functions evolved from custom-based socio-political entities to mechanisms of colonial state authority (Aldi et al., 2021).

A significant transformation transpired in post-independence Indonesia as the state established a modern, centralised governmental system. A pivotal moment in this process was the enactment of Law No. 5/1979 concerning village administration. This legislation advances the principle of administrative unification by substituting diverse traditional local governance systems, such as marga governance, with a standardised national village framework. The objective was to enhance national integration and governmental efficacy; however, this policy also significantly affected the presence of local institutions (Republik Indonesia, 1979).

The evolution of marga governance from the colonial era to the republic illustrates a protracted process of adaptation, co-optation, and marginalisation of traditional institutions within the context of the modern state. These alterations affect the framework of local governance and how individuals perceive their authority, identity, and social relationships (Amaliatuwalidain & Fadlurrahman, 2021).

Consequently, it is essential to examine the administrative dynamics of marga governance under two distinct regimes to comprehend the interaction between local institutions and state power and how these transformations alter the social fabric of South Sumatran communities.

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Prior research on this subject includes: 1) A study by Wijaya et al. (2025) which examines the dynamics of the Marga governance system in Tanjung Sakti, Pagaralam, emphasising the roles of Pesirah and the Marga Council as administrators of local authority. 2) Research by Susetyo & Ravico (2021) indicates that Dutch colonials have endeavoured to adapt and institutionalise the marga governance system within the colonial bureaucratic framework since the early 20th century. Search by Syawaludin (2016) examines the resilience and adaptability of the marga social system across diverse historical contexts.

Prior research has been predominantly descriptive and confined to particular timeframes or localized instances, seldom undertaking systematic comparisons of the evolution of clan governance between the Dutch colonial period and the Republic of Indonesia. Theoretical frameworks, such as historical institutionalism and institutional isomorphism, have been infrequently employed to examine the impact of structural changes and state pressure on the sustainability of clan institutions. This study seeks to address this gap by conducting a comparative analysis of the processes of institutionalization and deinstitutionalization of clan governance within the framework of state transformation, emphasizing the distinctions in structure, function, and bureaucratic mechanisms across both historical regimes.

## **METHOD**

This study employs a historical research methodology to reconstruct and analyze the transformations in the marga governance system of South Sumatra during two distinct periods of power: the Dutch colonial period (1825–1943) and the Indonesian Republic (1945–1983). The historical method was chosen to enable researchers to understand the processes, dynamics, and patterns of institutional change over time (Sukmana, 2021).

The four stages of historical research include heuristics, source criticism, interpretation, and historiography (Irwanto & Sair, 2014). The heuristic phase involves examining and compiling historical data from various primary and secondary sources. Primary sources consist of colonial archives obtained through platforms such as the Dutch National Archives, Delpher, and the World Museum, which include Afdeeling reports (a level III administrative division in the Dutch East Indies, managed by an assistant resident). An Afdeling is a component of a residency, comprising Dutch colonial regulations and administrative records related to clan leaders. Additionally, official local government documents, such as decrees on clan dissolution, were obtained from provincial and district government websites, as well as regional archive offices. Oral data were collected through historical interviews with key informants, including traditional leaders and former local officials, using a structured interview guide. Secondary sources include scholarly literature, such as history books; nationally and internationally recognized journal articles obtained from databases like Google Scholar, Garuda, JSTOR, and DOAJ; research reports; and relevant academic publications that augment the validity and depth of the analysis in this study.

Upon data collection, the validation and reliability of the sources are assessed through external criticism (to evaluate the physical authenticity of the documents) and internal criticism (to analyse the content, context, and bias of the sources). This stage is crucial for meticulously interpreting historical data and ensuring accountability.

The validated data is analysed during the interpretation stage to elucidate the significance, causal relationships, and sociopolitical context of alterations in the clan's governance structure.

Interpretation is conducted by examining local and national contexts, employing theoretical frameworks such as historical institutionalism and institutional isomorphism theory to comprehend institutional transformation within the nation-state paradigm. The concluding phase is historiography, which involves crafting a narrative derived from the interpretative findings. This research presents a chronological and comparative narrative illustrating the distinctions and continuities between the clan governance system during the colonial and republican eras. The composition is analytical and argumentative, highlighting clan institutions' evolving roles, legitimacy, and status within the local power framework.

## **DISCUSSION**

### **The Historical Development of Clans in South Sumatra (1630-1825)**

The Palembang Sultanate was instrumental in forming the local governance structure in South Sumatra via the clan system, originally intended to regulate the political, social, and economic affairs of the populace within its jurisdiction. This system addressed the administrative necessity to manage the extensive hinterland and assimilate local communities into the central authority framework (Adytyas & Fikri, 2022). The clan formation initiative was underpinned by enforceable legal policies, including statutes and charters promulgated by sultanate authorities. The Simbur Cahaya Law, formulated by Ratu Sinuhun, a significant female figure in Palembang's legal history and local governance, is one of the most pivotal and impactful regulations in this context (Zami et al., 2023).

UU Simbur Cahaya, the legal foundation of the clan system, is a codification of royal law governing diverse facets of community life, including family law, land, and governmental administration. Formulated by Ratu Sinuhun in 1630, it represented a modification of the court law of the Palembang Sultanate that had been operational since the 17th century. It was composed in Old Malay by utilising the Malay Arabic script, demonstrating a significant degree of legal intellectualism among the elite of the sultanate during that period. Ratu Sinuhun was the spouse of Sri Sultan Sending Kemayan, who reigned from 1639 to 1650, and his governance signified the nascent stage of forming an

institutionalised legal system in the area (Harahap et al., 2025).

The Simbur Cahaya Law represents a notable turning point in the evolution of customary law in South Sumatra, serving as the primary framework for governing various facets of community life and local administration, particularly within the clan system context. This law, formulated during the Palembang Darussalam Sultanate, exemplifies the codification of prevailing social norms within the community and demonstrates the presence of an organised and institutionalised legal framework, which subsequently served as a reference for establishing customary governance throughout the colonial era. This legislation plays a pivotal role in structuring the order of daily communal existence, encompassing social interactions, familial law, land governance, taxation, and mechanisms for dispute resolution (Fitria & Othman, 2021).

The Simbur Cahaya Law historically served as a precursor to the customary law system that underpinned the organisation of the clan governance structure. The clan system is a semi-autonomous local governance framework derived from the Palembang legal tradition. This law was subsequently amended during the colonial era, particularly by the Dutch administration in 1825, resulting in the creation of a revised version termed the *Sindang Marga Law*. This alteration was implemented under the system of indirect rule, using established customary law as an administrative instrument to manage local communities more effectively while preserving their customary identity (Ilhamudin et al., 2020). Notwithstanding the alterations, the fundamental essence and principles of Simbur Cahaya continue to serve as a normative reference for the management of inland communities in South Sumatra.

The Law of Simbur Cahaya comprises seven principal chapters that systematically govern all facets of community life (Annisa et al., 2021).

- Chapter I delineates the stipulations regarding Bujang Gadis and marriage, comprising 36 articles that govern the customary marriage process's prerequisites, procedures, and prohibitions. This chapter underscores moral values and familial honour,

highlighting the significance of social regulation within the family institution.

- Chapter II addresses clans, comprising 30 articles that govern the framework of local governance, the powers of the clan leader, and the interactions among communities within the customary territory. This chapter also underscores the clan as an administrative and legal entity with the authority to govern the lives of its members.
- Chapter III governs Hamlet and Agriculture, comprising 53 articles delineating the rights and obligations of land management, the rice cultivation system, and customary rights within subsistence and communal agriculture. This regulation clarifies the importance of agricultural elements within the social framework of local communities.
- Chapter IV comprises 19 articles delineating regulations concerning religious organisations and the roles of ulama and religious leaders within society. This chapter illustrates the intimate relationship between customary law and Islamic principles that have become embedded in Palembang culture.
- Chapter V addresses the tax regulations, comprising 16 articles that delineate the categories of local taxes, the collection procedures, and the allocation of taxes for developmental and customary governance purposes.
- Chapters VI and VII contain 59 and 6 articles, respectively, on sanctions and fines. This section delineates sanctions for breaches of customary law, encompassing restitution, community service, and monetary penalties. It thereby illustrates the restorative nature of customary law

in contrast to contemporary criminal justice systems.

The clan administration system, as a type of local government unit, was officially established during the reign of Sultan Cindeh Balang (1662-1706). The formation of a clan government aimed to enhance the efficacy of regional administration, particularly as the Palembang Sultanate's territory expanded to encompass upstream areas distant from the sultanate's urban centre. The clan served as an administrative unit, enabling local authorities to execute governmental functions decentralised while maintaining allegiance to the sultan (Apriyanti dan Reiza D. Dienaputra, 2015). This clan system's presence illustrates the Palembang Sultanate's political strategy in managing and coordinating upstream communities with distinct social and cultural frameworks.

The term 'clan' etymologically derives from Sanskrit, signifying 'path' or 'lineage'; however, in South Sumatra, it has evolved to denote a territorial and cultural entity comprising groups of individuals who share common customs, traditions and economic-political interests. As the Palembang Sultanate's influence grew, particularly in the upstream and inland regions, the interaction and integration of existing local clans into a more centralised governance structure commenced. A significant document from the era of Ratu Sinuhun indicates that the political expansion of the sultanate into the hinterland was executed through a collaborative strategy, which involved acknowledging existing clans while simultaneously fostering loyalty to the sultan (Arviansyah & Hudaidah, 2021).

Clans serve not only as genealogical or kinship entities but also as local legal and administrative units with the authority to regulate various community matters. Clans establish the customary laws governing their territory, adjudicate internal conflicts, and perform governmental functions via traditional institutions comprising clan leaders,

representatives, and other customary authorities. Clans can be regarded as semi-autonomous entities that significantly contribute to preserving social order, enhancing cultural unity, and regulating interactions between local communities and central authority. (Muhidin, 2018) asserts that the governmental structure within clans distinctly illustrates a collective and deliberative decision-making system while recognising local authority legitimised by customary norms and codified laws.

The clan government system established by the Palembang Sultanate was not merely an administrative tactic but also a reflection of socio-political engineering that integrated local customary values with the rationale of traditional state authority. The amalgamation of Islamic law, customary law, and court law within a singular normative framework illustrates the indigenous legal system's intricacy and sophistication that evolved before the onset of Dutch colonialism. The colonial government later used this clan system to implement an indirect rule strategy in South Sumatra in the 19th century.

### **The incorporation and Adjustment of Clan Governance within the Colonial Framework (1825-1907)**

After the Sultanate of Palembang was conquered by the Dutch colonials in 1825, there was a drastic change in the government and territorial management system in South Sumatra. The Dutch immediately implemented a policy of indirect rule in the interior as a more economically and militarily efficient strategy of domination. In this scheme, the colonials chose not to erase local sociocultural structures directly but instead used them as control instruments. The established customary and social system of clan government was considered a potential administrative tool. Therefore, clan heads, later called pesirah, were co-opted into the colonial bureaucratic structure. This co-optation was not done arbitrarily but through official recognition of their authority, granting honorary titles, and active involvement in implementing colonial state functions such as taxation, law, and local security (Permadi & Susanti, 2024). In this case, the colonial government did not simply use the clan structure as a technocratic tool but also as a medium for legitimising colonial power in the eyes of the inland people.

The process of co-optation was strengthened by administrative reorganisation in the early 19th century. The colonial administration instituted regional divisions, namely *onderafdeeling* and *afdeeling*, which served as the primary structure for consolidating authority in the hinterland. An illustrative instance of this strategy was the formation of the Belitang clan within the Komerang Ulu *onderafdeeling* in 1825. This action exemplified a deliberate effort to assimilate the local governance framework into the rationale of the centralised and hierarchical colonial bureaucracy (Dewi et al., 2024). The objective was not solely administrative efficiency but also a component of a strategy for security and control over local resources, including labour and agriculture. This affirms that colonialism operated concurrently across political, economic, and cultural dimensions.

However, this integration faced challenges from the beginning. From 1875 to 1907, Dutch strategy increasingly adopted a more destructive nature. The colonial administration aimed to eradicate clan autonomy by partitioning the region into new administrative units known as *Dusun*, overseen by leaders appointed directly by the colonial authorities. This period signified a transition from co-optation to mandated centralization. Moreover, traditional entities, such as clan councils, were marginalized and supplanted by organizations like *Raad van Inlandsche Hoofden*, which aimed to enhance colonial governance more sophisticatedly and effectively (Rochmiatun et al., 2023). In this context, the clan system evolved from a rudimentary customary framework into a political entity deemed perilous if unregulated, necessitating “taming” via pseudo-decentralization that effectively reinforced colonial state authority.

This strategy encountered opposition from the local community. The robust legitimacy of clans within society’s social and spiritual framework rendered removing local authority utterly ineffective. Recognizing this, the Dutch altered their approach in the early 20th century. Rather than abolishing the clan system, they preserved it with structural alterations. Clan chiefs continued to be acknowledged as community leaders yet were positioned within a subordinate hierarchy under Dutch controllers.

Loyal *pesirah* were awarded honorary titles like “prince,” symbolizing patron-client relationships that enabled political control (Putri et al., 2016). Simultaneously, indigenous communities faced the imposition of taxes, including land rent and forest product levies, which strained their economic conditions and undermined their traditional rights to customary land and local resources (Adelia et al., 2019). This practice demonstrates that colonialism was not solely a political imposition but a comprehensive reconstruction of the local community’s socio-economic framework.

From an institutional standpoint, the evolution of the clan system exemplifies coercive isomorphism, as articulated by Dimaggio and Powell (1983), wherein local institutions are compelled to adhere to a formal governmental structure standardized by external authorities. Consequently, once autonomous and entrenched in a collective culture, the clan system was progressively assimilated into the inflexible and centralized framework of the colonial bureaucracy. Despite adaptation and symbolic preservation in certain areas, the essence of power transitioned from collective autonomy to administrative subordination.

In the context of historical institutionalism, this dynamic illustrates significant path dependence, where decisions made at pivotal moments, such as the conquest of 1825 or the reorganization from 1875 to 1907, influenced institutional trajectories with enduring effects that were challenging to alter (Thelen, 2003). Colonial legacies persist in the post-independence period, including the incorporation of local leadership structures into state bureaucracy and limitations on access to customary land. This scenario establishes a power structure that is both hierarchical and centralized, with the contemporary state perpetuating colonial control mechanisms in a novel form. This pattern corresponds with Mamdani (1996) notion of the bifurcated state, wherein the state upholds a duality of power between urban regions administered through modern governance and rural areas regulated by customary practices overseen by the state. Consequently, the state’s enduring dominance over customary territories is comprehensible, as it is influenced by a protracted history of co-optation, manipulation, and institutional

transformation originating from the colonial period.

### **Modifications in the Clan Governance Structure Post-Independence (1945–1983)**

Post-independence, the Indonesian government encountered significant challenges in creating a stable national governance framework while maintaining national unity amidst considerable social, cultural, and geographical diversity (Widiatama et al., 2020). The reorganization of the local government system emerged as a significant priority within the nation-building process and the establishment of a modern state. A primary theme during the early independence period was decentralization, which normatively allowed for the persistence of traditional governance systems, such as the marga system in South Sumatra. This historical legacy retains significant legitimacy and social functions in governing community life, especially concerning customary land ownership, inheritance laws, and deliberative processes (Susetyo & Ravico, 2021).

Nonetheless, the trajectory of state policy gradually commenced to alter. Decentralization, initially anticipated to enhance local autonomy, ultimately evolved into a more coordinated and uniform process of administrative centralization. The most notable alteration transpired with the implementation of Law No. 5 of 1979 on Village Administration, which explicitly delineated the framework and responsibilities of village administration as the fundamental tier of governance across Indonesia, disregarding the pre-existing diversity of local systems. This law's implementation effectively dismantled the traditional clan governance system in South Sumatra, substituting the clan chief's role with that of the village head (kades), an administrative official directly governed by the central government via the regional bureaucracy (Republik Indonesia, 1979).

This process uncovers a complex relationship between the ethos of decentralization and the implementation of centralization. The state purports to grant autonomy to communities by establishing village institutions; however, these institutions are constructed within a standardized national framework that overlooks the intricacies of local customs. Establishing a village framework with

a village head, village secretary, and hamlet head (kadus) replaced the previously collective and deliberative clan structure with a centralized vertical governance model. The dissolution of clan institutions was solidified by South Sumatra Governor's Decree No. 142/KPTS/III/1983, which formally eradicated clan institutions and integrated customary areas into the village system under the leadership of the village head (Keputusan Gubernur Sumatera Selatan, 1983).

The ramifications of this policy extend beyond administrative aspects to encompass cultural and political dimensions. A disjunction exists between the formal framework of village governance and the social customs of communities that continue to adhere to the clan system. Communities persist in upholding traditional values and regulations, particularly regarding land management, conflict resolution, and executing customary ceremonies. This has resulted in institutional dualism, wherein state and customary structures operate concurrently, occasionally reinforcing one another yet frequently clashing in their execution. In customary land ownership, the village system frequently clashes with customary rights, particularly when the village government grants ownership certificates disregarding kinship lines or local customs (Adhuri, 2014).

Field research in regions such as Ujan Mas and Lahat indicates that while state regulations are officially implemented, the community and local elites determine which customary rules to uphold. Socially and politically advantageous customary rules are adopted and institutionalized, whereas those that conflict with or are incompatible with the contemporary administrative framework are often disregarded or selectively altered (Adelia et al., 2019). This phenomenon exemplifies a model of "dual governance," wherein clan-based cultural systems intricately interact with state-established village governments, facilitating a continuous negotiation of power and authority.

A comparable phenomenon is evident in a study of Nagari Pariangan in West Sumatra, indicating that the institutional dualism between customary and state structures does not invariably lead to harmonious integration. The intersection of the functions and powers of customary institutions and contemporary villages frequently results in leadership disputes, legal uncertainties, and decision-making

confusion at the local level (Hidayat et al., 2017). This phenomenon indicates that attempts to institutionalize the village governance system are inextricably linked to the social dynamics and customary legitimacy deeply embedded in the community's life.

The period from 1945 to 1979 constituted a significant transitional phase in the history of local governance in South Sumatra. The clan system was not completely abolished at once but experienced structural and cultural changes due to state regulatory pressure. Law No. 5 of 1979 exemplified a pursuit of modernization and administrative efficiency while simultaneously serving as a component of the state's hegemonic initiative to restructure local power dynamics. This administrative engineering established institutional duality, wherein the village system functioned concurrently with and frequently conflicted with the traditional clan structures that retained social legitimacy. This phenomenon can be understood through historical institutionalism because of colonial path dependence, wherein the state's inclination to regulate and control society via centralized bureaucratic structures continued after independence.

This transformation illustrates the tension between the state and adaptation and how local communities actively negotiate between these two sources of authority: the state and tradition. In numerous instances, adat law serves as the primary reference for land issues, local governance, and social conventions, simultaneously functioning as a battleground for legitimacy between adat elites and formal state elites. The alterations that have occurred are not solely structural but also pertain to facets of identity, authority, and the regulation of daily life in rural communities in South Sumatra.

## CONCLUSION

The evolution of the clan system in South Sumatra from the Dutch colonial period to the Republic of Indonesia (1825–1983) demonstrates that institutional change was neither linear nor characterized by complete eradication. This process progressed through stages of co-optation, adaptation, and re-institutionalization in alignment with the principles of state power. In the colonial era, the clan system was incorporated into the colonial bureaucratic framework via indirect rule, which

designated clan chiefs (pesirah) as administrative representatives. Despite their subordinate status, clan institutions persisted as a mechanism for legitimizing authority over rural communities.

With the advent of the republican era, especially following the implementation of Law No. 5 of 1979 and the promulgation of South Sumatra Governor Decree No. 142/KPTS/III/1983, the state methodically standardized local governance into village structures. This policy effectively dismantled clan structures and diminished customary authority via national legal frameworks. Nonetheless, despite the pressures of centralization, communities persisted in upholding the social roles of clans, especially in the administration of customary land, conflict resolution, and the execution of traditions. This scenario illustrates the presence of dual governance, a condition wherein the formal governmental framework and the customary system coexist, frequently in conflict.

From an institutional standpoint, these findings illustrate colonialism's path dependence, wherein post-independence states perpetuated centralized and bureaucratic power structures. Furthermore, state-imposed coercive pressure led to institutional isomorphism, specifically adapting local systems to contemporary governmental structures. Nonetheless, local communities exhibit significant adaptive capacity, ensuring that transformation does not entirely disrupt the continuity of clan institutions. New hybrid and contextual institutional forms emerge, reflecting the continuous negotiation between the state and customary traditions within local governance dynamics.

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