

ADAT PERPATIH AND ADAT TEMENGGUNG: A REVIEW

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SINOPSIS

Rencana ini mengutarakan persamaan dan perbezaan di antara adat perpatih dengan adat temenggung. Manakala undang-undang Elo-Baleh, iaitu adat yang diamalkan di Minangkabau sebelum Dato Perpatih nan Sebatang (Sutan Balun) menyusun adat tuah disakato, dan membahagikan alam Minangkabau kepada dua lareh: Koto Piliang (adat temenggung) dan Bodi Caniago (adat perpatih). Kedua-dua lareh ini telah bersetuju menerima adat tuah disakato sebagai peraturan hidup mereka. Perbezaan di antara kedua lareh tersebut sangatlah kecil. Yang agak ketara di antara kedua-dua lareh ini adalah dari segi struktur dan organisasi sosio-politiknya. Kepimpinan Bodi Caniago terdiri dari empat lapis sahaja, demikian juga keempat-empat lapis ini wujud dalam Koto Piliang. Tetapi, dalam Koto Piliang, di atas keempat pemimpin ini terdapat tiga lapis lagi dengan raja dipuncaknya. Dari segi pembahagian tanah ulayat dalam Koto Piliang tanah adalah dalam tangan ketua-ketua suku. Sedangkan Bodi Caniago tanah adalah kepunyaan suku dan sesiapa yang hendak membuka harus membuka tanah hak sukunya dengan memberitahu ketua sukunya. Dari segi pentadbiran pula masyarakat Bodi Caniago adalah berbentuk egalitarian sedangkan Koto Piliang hierarchial.

Introduction

The assumption taken by many writers that Negeri Sembilan follows the Adat Perpatih, while the rest of the Peninsular states follow the adat Temenggung is misleading. De Josselin de Jong who acknowledged that these expressions do occur in West Malaysia, raised the question whether this distinction is made by the native inhabitants themselves, or is only due to misapplication of Minangkabau terms to Peninsular conditions by European writers. He admitted that he cannot answer with any degree of certainty.¹ In my opinion, the misapplication was made first by the native inhabitants of Negeri Sembilan, later followed by European writers, due to the fact that to many people the exact characteristics and the differences between the two systems are not clear and often confusing. As such, it is the aim of this short paper to try and list out the principal similarities and differences between the two adat systems.

The Creation of the Adat

To most people and even scholars of Negeri Sembilan, Adat Temenggung is the *harsher* one compared with the Adat Perpatih, and was at times even appearing as a real *lex talionis*. This supposition was based on the so-called Adat Temenggung

¹ de Josselin de Jong, P.E., 1951, *Minangkabau and Negri Sembilan, Socio-political Structure in Indonesia*, Eduard Ijdo N.V., Leiden, p. 171.

proverb:

Siapa bunuh siapa kena bunuh,
 siapa berhutang siapa membayar,
 siapa salah siapa bersalah.
 (who kills shall be killed,
 the debtor shall quit the debt,
 the sinner shall pay the forfeit).

From the language used it is obvious that these sayings were carried by migrants to the *rantau* (settlements outside the Minangkabau homeland), in this case Negeri Sembilan before Sutan Balun or famously known as Datuk Perpatih nan Sebatang established the adat.

The above sayings are an interpretations of the *Undang-undang Elo-Baleh* (Law of Reciprocity)² and cannot be attributed to a law characterizing Adat Temenggung. The fomulation of the Adat Perpatih and Adat Temenggung occured during the reign of Sutan Marajo Basa (King Bamego-mego's son by Queen Indo Jati³). The person responsible for the creation of the new system was Sutan Balun, half-brother of Sutan Marajo Basa,⁴ who later became Sutan Marajo Basa's most important advisor with the title *Parapatieh*.⁵

The Parapatieh, as Sutan Balun will henceforth be called, was concern about the chaotic situation of the Minangkabau society as a result of the Undang-undang Elo-Baleh. After some misunderstandings with his half-brother the king, and after testing the practicality or the existing 'law', the Parapatieh was given the assignent to make a study of the will of the people and to introduced a bill enabling the king to replace Undang-undang Elo-Baleh. He was given the task of preparing not only criminal law and penal code, but also the civil law and the *limbago* (institution) of the new state. A new *adek jo limbago* (adat and limbago) was what the Minangkabau people needed. Hopefully, the new Minangkabau legal system would solve all the people's problems for a long time, longer than the period under Undang-undang Elo-Baleh.

He theorized that the root of the trouble was not much because of the exis-

² Before the establishment of Adat Perpatih and Adat Temenggung (or Ketumanguengan) in Minangkabau there already existed two adat. During Minangkabau dark history, *Undang-undang nan Tigo* (the law of three) was prevalent. Actually this was not a law but a description of the circumstances then. This era seems to have lasted until the reign of King Datuek Sari Marajo mam Bamego-mego. (see Basa, Bakar Dt. Nagari, 1966, *Tambo dan Sisilah Adat Minangkabau*, Penerbit C.V. Eleonora, Pajakumbuh, p. 14). The king was convinced by Suri Dirajo (also known as Sri Paduko Barhalo), a Hindu hermit who was in high esteem by the people and lived in a cave in Mount Marapi (see Rasjid Manggis, Dt. Radjo Panghoeloe, M., 1971, *Minangkabau, Sedjarah Ringkas dan Adatnya*, Penerbit Sridhana, Padang, p. 148) to replace it with a new and better legat system. This law was fomulated and was called *Undang-undang Elo-Baleh*. I hope to discuss these adat in another paper.

³ Rsjid Manggis, 1971, op. cit., p. 152; according to Basa, 1966, op. cit., p. 14, her name was Indah Jaliah, the second part of which is of Arabic origin.

⁴ When Sutan Marajo Basa occupied the throne of his father, the widow queen Indo Jati married her late husband's advisor, the commoner Cati Bilang Pandai. From this marriage a number of sons and daughters were born, of which the eldest was a son, Sutan Balun (*Balun* in Minangkabau means "not . . . yet", the name could have been given in retrospect: he was "not a Sutan yet"), and the best known daughter was Reno Mandi.

⁵ See Rasjid Manggis, the grand-vicer with a specific assignment.

tence of the Undang-undang Elo-Baleh, which could be amended, but more because of the fact that the people were divided by the existing of two social systems: patriliney, to which the royal family and their followers adhered, and matriliney, which was followed by the majority of the people who had settled in Minangkabau long before the arrival of Hinduism/Buddhism and the monarchy. Sutan Balun was convinced that there should be only one system, matriliney, for this would secure property, in which land is the most important element, in the hands of those who remained in the villages, i.e. the women. The new adat which Parapatieh wanted to introduce was based on the percept:

Baiek dipakai jo mupakek,
buruek dibuang jo rundiengan.⁶
(If it is good it will be used through consensus,
if it is bad it will be discarded after consultation).

And it was called *adek Tuah Disakato* (the Sacred Consensus).

Contrary to the old law of negative reciprocity which says,

Kok palu babaleh palu,
nan tikam babaled jo tikam,
hutang ameh bayie jo ameh,
hutang padi bayie jo padi,
hutang kato bayie jo kato.⁷
(A beating for a beating,
a stab for a stab,
a debt in gold should be paid in gold,
a debt in rice should be paid in rice,
a debt in words should be fulfilled);

Sutan Balun converted the new law into of positive reciprocity, working on the same principle but in a form more favourable for society:

Nan bak urang nan bak awak,
ketek kayu ketek banannyo,
gadang kayu gadang banannyo.⁸
(If it is good for others, it is good for us,
if the stick is small, the branch is small,
if the log is long, the branch is large).

Everybody had to suffer the consequences if the law was not followed correctly: *kok melompek sama patah* (everybody would get hurt if anybody jumped).

One of the elements of the new adat proposed by the Parapatieh was to group the Minangkabau people into two *lareh*.⁹ He called the two moieties:

a) *lareh nan bunta* (the rounded moiety),

⁶ Darwis Thaib Dt. Sidi Bandaro, 1965, *Seluk Beluk Adat Minangkabau*, N.V. Nusantara, Bukit-tinggi, p. 17.

⁷ Basa, 1966. op. cit., p. 14.

⁸ Darwin Thaib Dt. Sidi Bandaro, 1965, op. cit., pp. 17-18.

⁹ literally means harmony, for convenience translated here a moiety which I prefer to de Josselin de Jong's *phratry* which emphasized the love-nate relationship between two groups of people not necessarily blood related, see de Josselin de Jong, 1951, op. cit., pp. 71-82.

b) *lareh nan panjang* (the long moiety).¹⁰

Each of the two moieties consists of two clans: Koto and Piliang belong to one, while Bodi and Caniago to the other.

Sutan Balun became the leader of Bodi Caniago and Sutan Marajo Basa of Koto Piliang. Budi Caniago, most probably as the older of the two groups and the supporters of the matrilineal system which they had kept since ancient times, became the agency through which the ideas of the new adat were conceived and formulated. When the chiefs of the Bodi Caniago had reached unanimous agreement, the proposal for the new adat was surrendered to the other agency, the Koto Piliang. This moiety, under the leadership of Sutan Marajo Basa, scrutinized the bill, and discussed it among their members until they reached complete agreement. If there was any part of the bill that the Koto Piliang could not accept, the bill would be returned to Bodi Caniago where the objections or counter-proposal of Koto Piliang would be given a close examination. This bill became law when a complete consensus was acquired between the two agencies.¹¹ On the occasion of a failure to reach an agreement, Sutan Marajo Basa once said to members of his moiety:

silang-salisieh lareh nan duo,
Saba lareh Koto Piliang.
(A dispute among the two moieties,
Koto Piliang must be patient),

because:

Salah balawanan jo rang banyak,
Bana bakawan jo rang banyak.¹²
(It is wrong to oppose the majority,
It is correct to form alliance with the majority).

After the bill for *adek Tuah Disakato* was unanimously accepted by both moieties, it became law. Thus Minangkabau entered a new era of peace and harmony among and between members of all clans. On the day of introducing the new adat, Cati Bilang Pandai, the old advisor of the ruler, announced that:

- i. Sutan Balun the Parapatieh would henceforth be called *Datuek Parapatieh nan Sabatang* (the one and only Datuek Parapatieh). The right to carry this name was given to him for the rest of his life, and he was to be the only one allowed to carry that name until the end of time;
- ii. Sutan Marajo Basa henceforth would be called *Datuek Katumanguenga*.¹³

The Principal Similarities and Differences

With the mutual acceptance of the *Tuah Disakato* there have been only minor differences between these two moieties. In this unity it appears that Koto Piliang (*Adat Ketumanguengan*) made greater adjustment to Bodi Caniago (*Adat Para-*

¹⁰ Rasjid Manggis, 1971, op. cit., pp. 116-117.

¹¹ Bahar Dt. Nagari Basa, 1966, op. cit., pp. 74-75.

¹² Sango Datoek Batoeh, 1966, *Tambo Alam Minangkabau*, Pertjetakan Limbago, Pajakumboh, p. 127.

¹³ The last word derived from *Tumanggung*, meaning the lord of the Host.

patieh) than viceversa. While the assumption could be made that Koto Piliang was patrilineally oriented before the period of the Tuah Disakato, today these characteristics have disappeared entirely. Both moieties are now matrilineal, having the following general characteristics.

1. Descent through the female line.
2. The formation of clans through the female line.
3. The rule of exogamy for members of same clan and particularly the same matrilineal descent group.
4. *De jure* power in the hands of mother's brother.
5. *De facto* power in the hands of the mother within the clan, although seldom used.
6. Ownership of property, once inherited, remains in the hands of the mother, and is inherited by her daughters, or if she has no children, by females of her descent group.
7. Control of inherited property is in the hands of mother's brother.
8. Property obtained by a male from the procurement of his sister's property is inherited by his sister's female children with the male having the right to have control over it.
9. In the event of the absence of further heirs the property reverts to the clan under the control of *penghulu suku* (chief of clan).
10. The position of *penghulu suku* with the right to control and dispose of land belonging to the *suku* can only be occupied by males of those *suku* which were active in the establishment of the *nagari*.¹⁴
11. The position of *penghulu suku* can be held only by man.
12. A rule of matrilocality of residence. In the past this restricted the husband to visit the wife's home from late afternoon to early morning. In modern times the husband lives in completely.
13. Rights for the father to dispose property, not acquired from the procurement of his descent group property, to his own children.
14. Duties of a man to provide means for the interests of his sister's children, and rights to their disciplinarian.¹⁵

If Koto Piliang ever had patrilineal characteristics, these certainly have now disappeared. But Koto Piliang did include the monarchy at the upper level of its hierarchical organization, and the monarchy throughout its existence was most certainly patrilineal.

The system of various levels of authority is reflected in the maxim:

Bajanjang naiek,
batangga turun.

¹⁴ A federation of a number of *Koto* or regions of township. During the early period it was the maximum political unit; see: Darwis Thaib Dt. Sidi Bandaro, 1965, op. cit., pp. 120-121.

¹⁵ Muhamad Radjab, 1969, *Sistem Kekerabatan di Minangkabau*, Pertjetakan Sridharma, Padang, p. 17.

(Ascent up a stair,
descent down a ladder).

This means that a member of a lineage who wants to pursue an objective should discuss his problem at one level at a time, following the proper sequence if he wants to bring the matter to higher levels.¹⁶ At the lowest levels the system for both moieties are similar. They are:

Patamo:

andiko dalam sabuah paruik,

Kaduo:

nan jadi pangkek janjang pangulu suku,

Ketigo:

nan jadi pangkek dalam sebuah nagari,

Kaampak:

nan jadi pangkek jajang salareh.

(First,

the eldest mother's brother in each lineage,

Second,

the next in line of authority is the chief of the clan,

Third,

the chiefs of the township,

Fourth,

the leader of the moiety).

With the deaths of Parapatie nan Sabatang and Datuek Katumanguungan the authority of the moiety leaders appears to have lessened and in practice today the chiefs of clans are the highest authority for both moieties. Courts of appeal such as in Kubueng XIII were established for Bodi Caniago, but the judges were still chiefs of clan. It is in the field of courts of appeal that the two moieties follow different ways. The Koto Piliang's levels of authority continue:

Kalimo:

nan jadi pangkek urang Basa Rajo,

iaitu:

Bandaro di Sungai Tarab,

Tuan Kadi di Padang Gantieng,

Mangkudum di Sumaniek,

Tuan Indomo di Suroaso.

Kaanam:

nan jadi pangkek janjang Rajo Buo jo Sumpu

Kuduih,

Katujueh:

nan jadi pangkek buleknyo,

iaitu:

Daulat Yang Dipatuan di Pagaruyueng.¹⁷

¹⁶Rasjid Manggis, 1971, op. cit., p. 117.

¹⁷Sango Datoek Batoeh, 1966, op. cit., p. 171.

(Fifth:

the King's Great Council, namely:

Bandaro at Sungai Tarab,

Tuan Kadi at Padang Gantieng,

Mengkudum at Sumaniek,

Tuan Indomo at Suroaso,

Sixth,

the two Kings of Buo and Sampu Kuduih,

Seventh,

the highest authority is

His Majesty the Yang Dipatuan at Pagaruyung).

However, in Kubueng XIII and additional level existed between the chiefs of the township and the King's Great Council, namely the Trivet (*Tuanku nan Tigo*¹⁸) of Salayo. This Trivet becomes the highest authority for Koto Piliang in Kubueng XIII today.

In addition, Koto Piliang instituted lower branches in its organization, and it has also a *Balai Gadang* (Great Council House) where problems of Koto Piliang and its organization could be discussed. These lower branches and the Great Council House were called *Langgam nan Tujueh* (the Seven Principals). They were:

1. Singkarak-Saniengbaka, names of two *nagari* at the side of Lake Singkarak. These were the residence of Datuek nan Garang and his subordinates. He was called *Camin Taruih* (Piercing Mirror). He was the all-seeing person, Koto Piliang's security officer, under the control of Tuan Gadang.
2. Sulik Ayie-Tanjueng Balik, two *nagari* on the hills east of Lake Singkarak. These were the residence of Datuek Rajo Endah. He was Koto Piliang's *Cumati* (whip). It was his duty with the help of his deputy, to convince and urge members of Koto Piliang to take a specific stand in relation to certain problems. The most important function of the whip was to convince Koto Piliang members to accept and carry out Parapatieh nan Sabatang's bill of the Sacred Consensus (*Adat Tuah Disakato*). He was also under the control of Tuan Gadang.
3. Padang Gantieng, the residence of Tuan Kadi himself and his subordinator. He was the *Sulueh Bendang* (Field Torch) of Koto Piliang, the authority responsible for religious affairs. He was subservient to the King of Divine Service (*Rajo Ibadek*¹⁹) at Sampu Kuduih.
4. Saruaso, the residence of Tuan Indomo. He was Koto Piliang's *Payueng Panji* (Banner). It was his duty and responsibility to see that *nagari* following the *adat* of Koto Piliang obeyed the law and regulations of their moiety. In modern times he could be called 'Minister of the Interior', or

¹⁸Three Eminence, which could be translated as the Triumvirate; or, also called *Trivet* which name is retained here.

¹⁹One of the two viceroys of the Yang Dipatuan of Pagaruyung. The other was *Raja Adek* (King of Adat) at Buo – the supreme judge for appeal in matters related to disputes in adat, whose responsibilities lay in the field of worldly matters. All three of them (Raja Alam/Yang Dipatuan, Raja Adat and Raja Ibadat) would be known as the *Rajo nan Tigo Selo* (King of the Three Seats).

'Minister of Justice', or both. He was subservient to the King of *Adek/Adat*. (If this power were available today no *nagari* could shift from Koto Piliang to Bodi Caniago, or vice-versa).

5. Labuatan-Sungai Jambu, the residence of Datuek Ali Basa, Keeper of the royal apparel and jewellery, and the residence of Datuek Batuah, keeper of the royal coinage. The official and his deputy living in these two *nagari* were called *Pasak Kungkueng* (Peg and Block), the key and lock of royal property. These principals were under the control of the Mangkudum, the Koto Piliang Treasurer, who resided at Sumaniek.
6. Batipueh, the residence of Tuan Gadang, Koto Piliang's 'Leapord', the Commander of the armed forces and Minister of Defence.
7. Simawang-Bukik Kandueng, this was the place where the Great Council House stood. Koto Piliang's affairs of the highest order were discussed here under the leadership of Datuek Bandaro Putih, the Prime Minister who resided at Sungai Tarab.²⁰

Bodi Caniago has also seven sentres, and these functions as courts of appeal for surrounding areas. These are the three Lubuek and three Tanjueng:

1. Lubuek Sikarah near Solok.
2. Lubuek Simawang near Talawi.
3. Lubuek Sipunai near Koto Tujueh (Sampu Kuduih, the residence of Rajo Ibadek),
4. Tanjueng Alam, in Tanah Data,
5. Tanjueng Sungayang, a *nagari* surrounded by Pagaruyung Sungai Tarab and Sumaniek, centres of royal and Koto Piliang power.
6. Tanjueng Barulak, a member village of Limo Kaum, Tanah Data.
7. A seventh court existed in Ulak Tanjueng Bungo near Tanjueng Bingkueng (Tanjueng Balingkueng), called the Great Place (*Tampek Gadang*). This was the Bodi Caniago's court house, which functioned in a similar manner to the Koto Piliang's Great Council House at Simawang-Bukit Kandueng.

The only person mentioned in the organization of Bodi Caniago, after the death of Parapatieh nan Sabatang, was Datuek Bandaro Kunieng. His residence is at Limo Kaum. He is not to be considered the 'head' of Bodi Caniago, rather he used to function as Bodi Caniago's ambassador to the Court of Yang Dipatuan at Pagaruyung. When he came as an official guest of the ruler to attend a royal ceremony he sat face to face with the ruler. At one stage of the ceremony the white umbrella of the Prime Minister was closed as a symbol of subordination of Koto Piliang to the power of the King. Datuek Bandaro Kunieng's yellow umbrella, on the other hand, was opened to symbolize that Bodi Caniago was subordinate only to their own 'king', namely 'consultation' (*rundiengan*):²¹

At the sessions in the Great Place in the Ulak Tanjueng Bungo, Datuek Bandaro Kunieng sits as chairman, but he has no power to decide on matters relating to Bodi

Rasjid Manggis, 1971, op. cit., pp. 115-116, Ahmad Dt. Batuah, and Madjoindo, A. Dt., 1956, *Tambo Alam Minangkabau*, Dinas Penerbitan Balai Pustaka, Djakarta, pp. 36-37.

²¹ Rasjid Manggis, 1971, op. cit., p. 155.

Caniago affairs, although he may speak in the council of chiefs. Datuek Bandaro Kunieng is called by members of Bodi Caniago, the *Gajah Gadang Patah Gaidieng* (Great Elephant with the Broken Tusk).

Minangkabau chronicles speak of the existence of the territorial 'border' of both moieties. The territory of Koto Piliang is described as:

Hinggo Gunueng Marapi hilie,
Hinggo lauik nan sadidieh,
Hinggo Tanjueng Gadang mudiek.
(Down the slope of Mount Marapi,
To the boiling waters of the seas,
To Tanjueng Gadang uphill).

Bodi Caniago's territory is:

Hinggo Muaro mudiek,
Hinggo Padang Tarok hilie.²²
(From upstream Muaro,
To downstream of Padang Tarab).

The authors of the chronicles were obviously speaking in symbolical terms because within the entire territory belonging to Bodi Caniago as described are located the centres of Koto Piliang and royal powers, while within the territory of Koto Piliang are located Limo Kaum and Tabek, important *nagari* of Bodi Caniago. What the authors might have wanted to say was that there was no real, fixed and separate territories for either moiety. Members of Koto Piliang and Bodi Caniago live side by side, even in one *nagari*.

The characteristics of the two moieties and of the whole Minangkabau system have been presented as symbols of dualism by de Josselin de Jong.²³ He saw these as being extremely typical of a phratry-relationship. Some elements of this dualism have been spelt out by the Minangkabau themselves in their proverbs, e.g.

Mande Solok,
bapak Salayo;
Lareh nan bunda Bodi Caniago,
Lareh nan panjang Koto Piliang;
(Solok is mother,
Salayo is father;
Bodi Caniago is the round moiety,
Koto Piliangan the long one);

one has a republican type of a government, the other one is monarchical. Some symbols particularly should not be interpreted literally, such as: Bodi Caniago occupies the interior, Koto Piliang the coastal plain (not all *rantau* are on the coast, not all coastal *rantau* belong to Koto Piliang) and the female characteristics of *adat* and the male characteristics of the *ibadat* (*Tuan Gadiah* as well as *Dara* and *Puti* mean 'princess'; it would be exceptional if the position of the King of Adat was ever taken by a woman; King of Adat were usually men). Patriliney of Koto Piliang

²² Rasjid Manggis, 1971, op. cit., p. 115; Sango Datoek Batueh, 1966, op. cit., p. 32.

²³ de Josselin de Jong, 1951, op. cit., pp. 73-74, 108-110.

has not been proven, but if it were it would have fitted the symbol of dualism. On the other hand if the *ibadat* (Divine Service) has been attributed with male characteristics, and Datuek Katumanguengan's moiety of Koto Piliang has been characterized as being 'father', it would be the gravest error to claim that Buddhist Datuek Katumanguengan founded the Muslim law, Syarak.

Continuing with the basic characteristics similarities and differences of the two moieties, one can note the differences in the way that *tanah ulayat* (ancestral land) is controlled and distributed by chiefs of both moieties. Koto Piliang reserve land remains in the hands of the chiefs. Any member of the community, regardless of their clan, may make a request to the chiefs for a plot of land for cultivation. In this way the chiefs are to plan the direction of the expansion of the *nagari* should take. In *nagari* following the Bodi Caniago *adat* ancestral land is divided among existing clans, and borders are fixed. Any newcomer who wants to start farming in that *nagari* should seek his own clan or a clan closely related to his, and obtain a plot of land from the chief.²⁴

Regarding the characteristics of the chief's position both moieties follow the principle:

Pucuek bulek,
urek tunggang.
(the top-foliage is round,
the root is straight),

which means that there is no power above the chief, and his position was acquired from ancient times. The saying could also be interpreted in a different way, namely that it shows how decisions in matters of *adat* are made. In this case the saying reflects only the Koto Piliang principle. Decisions are made at the top and flow down to the root. It shows the form of an hierarchical organization, a remnant of its old system. The hierarchical character of Koto Piliang is not extreme, since the decisions are sent down through various offices and council levels where they are discussed, and usually accepted. The suggestions are returned to the round top-foliage, and the decisions can then be made and implemented. It is possible that the lower levers might wish to amend the suggestions which came from above. It is said that the case is not 'round' but 'square'. The case 'cannot be rolled'. If the amended case is accepted at the top it becomes 'round' again, otherwise it would stay 'square' by counter-proposals from the top. The case has to be replaced up and down until it becomes completely 'round'. As can be seen, the spirit of *Adek Tuah Disakato* is shown to exist in the system of Koto Piliang in the method of finding solutions to problems. The Koto Piliang system of initiating an action from the top is called: *titiek dari ateh*²⁵ (punctuation from above).

The chief's position with Bodi Caniago is characterized in the saying: *pucuek tagerai* (a top-foliage that hangs free like hair from a head – an analogy is made here with the sprouts of betels or coconut). The leaders have equal rights and responsibilities. A better known proverb showing the equal position of Bodi

²⁴ Batuah, A.M. Datuk Maruhun and Tanameh, D.H. Bagindo, (n.d.), *Hukum Adat dan Adat Minangkabau*, Penerbit N.V. Poesaka Aseli, Jakarta, pp. 41-42.

²⁵ Rasjid Manggis, 1971, op. cit., p. 80.

Caniago's chief says:

Deduek samo randah,

tagak samo tinggi;

Duduek sahamparan,

tagak sapamatang.

(In the sitting positing everybody is equally low,

in the standing position equally high,

Sitting on the same carpet,

standing on the same raised path of a ricefield).

Whereas with Koto Piliang cases are initiated at the top and referred downward, with Bodi Caniago cases: *Mambasuik dari bumi* (Gush from the earth). Problems arise from below, and are presented through the mother's brother to the chief of clan. The chief has no right to make a final decision on the problems, but must discuss it with his staff, consisting of the clerk and the religious and security officers. At these discussions the individual who brought up the problem has the right to be heard, or he can be represented by his mother's brother. When no satisfactory decision can be made, the problem is: *diparambunkan* (exposed to the dew), brought to rest for a certain period to give an opportunity to anybody concerned to reevaluate the significance of the problem until everybody has reached a *tuah disakato*, a sacred consensus. The agreement is relayed upwards where it will be sanctioned by the chief, or, by the council of chiefs when the problem relates to the interest of the whole *nagari*.

As can be seen, the method used to solve problems by Bodi Caniago indicates the egalitarian characteristics of its society, whereas the Koto Piliang uses a method characterising its hierarchical, but not dictatorial or even autocratic, system.

Finally, there is a difference in the way a new chief succeeds one who has died or abdicated. The Koto Piliang system follows the maxim: *Patah tumbuh*²⁶ (Broken, it grows again). When a chief dies his position will be filled by one of his relatives, either his younger brother or his sister's son. Succession usually goes smoothly, because it is known before hand who will succeed the reigning chief when he dies. In Piangu, Kubueng XIII, it is said: *wabah datang, parang tunggu* (when death arrives, warfare should wait). It means that on the day the body of the chief is buried, the position is given at once to his successor. However, in the event of a dispute over the succession, the position will be 'folded' for fourteen days. Consultations will be made with rights of appeal. When:

Lah bulek ayie di pambulueh,

Lah bulek kato di mupakek,

Baru dilatakan nasi gak sadulang.

(The water is round according to the form of the bamboo,

The word is round at the consultation,

Then a plate of rice will be consumed).

Succession to the position of chief with Bodi Caniago follows the maxim of: *Hilang baganti* (Disappeared, it will be replaced). When a chief dies the succession

²⁶ Rasjid Manggis, 1971, op. cit., p. 153. The maxim makes an analogy with the birth of young banana trees).

to his office will be discussed by members of the clan, usually represented by the mother's brothers, the elders, staff members of the chief, and other important people of the clan. A successor has to be found. If the clan consists of a number of sub-clan, the rule of *gadang balega* (the alternation of honour), also called *adek sansuko* (lit: the adat of alternation), has to followed, according to the proper sequence. If the succession is the prerogative of one sub-clan, then within the clan the succession will pass among the lineal segments according to a proper or agreed sequence. Finally the most acceptable person within the lineal segment will be sought, until agreement is reached.

While succession to the position of chief in Koto Piliang usually goes smoothly, with the egalitarian Bodi Caniago it is not always the case. The succession system of Bodi Caniago is sometimes called: *Cilako nan baselang* (A disaster when in dispute), and this could lead to friction within the descent group and even within the clan.

There are no other differences in the characteristics of these two moieties except that Koto Piliang has a political organization with a monarchy, while Bodi Caniago is republican. Hence when a *rantau* is ruled by a king, the political structure of the *rantau* follows the Koto Piliang system (also termed in Malaysia as the *Adat Temenggung*). On the other hand, for a state to have a ruler does not necessarily mean that it follows the Adat Temenggung, for the Adat Temenggung and the Adat Perpatih are systems existing within the Minangkabau World.