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Disappearance of matriclan survivals in Minangkabau family and marriage relations. (Zie errata, p. 304)

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DISAPPEARANCE OF MATRICLAN SURVIVALS IN MINANGKABAU FAMILY AND MARRIAGE RELATIONS.*

The Minangkabau inhabiting Western and central Sumatra and also a number of other regions in and outside of Indonesia constitute one of the prominent peoples of Indonesia. The main region where they have settled is the Padang Highlands situated along the west coast of central Sumatra. Their principal means of support is agriculture. The technique of tilling the artificially irrigated fields for the planting of rice was already known to them in the first centuries of our era. Apart from rice they also cultivate coconut palms, nutmeg, peanuts and a number of vegetable crops. From the beginning of the 20th century cultivation of coffee, rubber and oilpalms occupied a prominent place in Minangkabau agriculture. Cattlebreeding, especially breeding of buffaloes and bulls, plays an important rôle in the economy. Handicrafts, such as gold, silver and copper working, the manufacture of brocade and cotton fabrics and woodwork have attained a high degree of development. The products of Minangkabau craftsmen, especially weapons, brocades and wood-carvings, are well-known all over Indonesia.

The Minangkabau are of particular interest to the ethnologist in view of the fact that prior to the beginning of the present century they had preserved very strong survivals of matriclan organization, to wit matrilineal extended families counting as many as a hundred or more persons and tracing their descent to one real ancestress, inheritance of name and property through the mother's line, dominance of the eldest brother of the oldest woman of the matrilineal extended family in all decisions regarding family matters, high social status of women; marriage not affecting the bond with the matrilineal family of either

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of the partners, settlement according to the clan-characteristic, clan-exogamy and the like. These survivals of matriclan organisation were staunchly preserved under a high development of productive forces and material culture (higher, for instance, than that of the northern neighbours of the Minangkabau, the Batak, who preserved survivals of patriclan organization with clearly expressed patrilinearity) and even under the conditions of a class society, i.e. during the reign of the Minangkabau princes (approximately from the 13th century).¹

Small wonder that data relating to Minangkabau are very often brought forward in works devoted to the general problems of primitive communal systems. Although these data are no doubt of importance for the study of early forms of social organization, it should be noted that they do not reflect any more the actual state of affairs in Minangkabau. Meanwhile in the literature, first of all in the specialised ethnographical literature, the Minangkabau are often depicted as a people preserving almost to the present day a kind of idyllic matriarchate.

This is typical not only for studies published at the end of the last or at the beginning of our century but also for works published in the years 1920—1940, including those especially devoted to Minangkabau.² Thus Foran wrote in 1936: "The very ancient institution of the matriarchate is found in its purest form among the Malays of Minangkabau and they are very proud of it. They have an *exclusively* matrilineal family right."³ Comparing this statement with Marsden's material — the first edition of his book was published in the last quarter of the 18th century⁴ — one might be led to believe that in 150 years Minangkabau society did not undergo any change at all,

¹ As to the possible reasons underlying the preservation of matriclan survivals in highly developed societies including that of Minangkabau see S. P. Tolstov, *Drevnij Chozism*, Moscow 1948, p. 329, note 1.

² O. J. A. Collet, *Terres et peuples de Sumatra*, Amsterdam 1925; I. Lublinski, "Minangkabau", *Zeitschrift für Ethnologie* 1927, 59. Jahrgang, Heft I/2; G. A. de C. de Moubray, *Matriarchy in the Malay Peninsula and neighbouring countries*, London 1931; W. R. Foran, *La vie en Malaisie*, Paris 1936; F. C. Cole, *The peoples of Malaysia*, 2nd ed, New York 1945. A certain amount of archaization of Minangkabau society and an exaggerated estimate of the rôle played in it by women one finds also in the works of a number of Soviet authors. See for instance M. O. Kosven, *Očerki istorii pervobytnoj kul'tury*, Moscow 1957, p. 125; by the same author, "Matriarchat", *Revolucia Prava* 1939, No. 6, p. 73—76.

³ W. R. Foran, o.c., p. 191—192. My italics J. M. — Cp. L. C. Westenank, *De Minangkabausche nagari*, Weltevreden 1918, p. 37.

⁴ W. Marsden, *The History of Sumatra*, 3rd ed., London 1811.

whereas as a matter of fact this very period was marked by important developments giving rise to profound changes in the social structure of this people. The archaization of 20th century Minangkabau society is due to a considerable extent to the fact that most foreign scholars (with the exception of the Dutch) mainly made use of 19th century material. The most authoritative sources of information on the life and customs of the Minangkabau for many later authors were the articles by Verkerk Pistorius published in the years 1869—1871 and used by Bachofen in his *Antiquarische Briefe*,⁵ and after that the studies of the well-known Dutch ethnographer Wilken who wrote in the years 1870—1890.⁶ It was, on the whole, especially the material collected by Verkerk Pistorius and Wilken which, at second and third hand, served as the starting-point for works on Minangkabau by other authors and also found its way into works on general ethnography. The same applies to the studies on Minangkabau of Edwin Loeb.⁷

In order to understand how the situation referred to in the field of Minangkabau studies has come about, several factors should be taken into account. In the first place we mention the lack of new material and the difficulty of acquainting oneself with those publications which from time to time did appear. New studies appeared in Dutch, a language generally not understood in scientific circles, in extremely small printings and in publications not readily accessible. Books dealing with the changes which have occurred in Minangkabau society during the first half of the 20th century are, among others: Joustra's monograph, *Minangkabau* ⁸; Schrieke's highly valuable study, replete with new material, "The spreading of communism on the west coast of

⁵ A. W. Verkerk Pistorius, "Studiën over de inlandsche huishouding in de Padangsche Bovenlanden", *Tijdschrift van Nederl. Indië*, serie 3, Jaargang 3, Sept. 1869 (published in bookform in 1871). J. J. Bachofen, *Antiquarische Briefe*, 2 Bände, Strasburg, 1800—1886.

⁶ Cp. his papers "Over de verwantschap en het huwelijks- en erfrecht bij de volken van het Maleische ras"; "De verbreiding van het matriarchaat op Sumatra" and others in the publication G. A. Wilken, *Verspreide Geschriften*, parts I—IV, Semarang 1912.

⁷ E. M. Loeb, "Patrilineal and Matrilineal Organization in Sumatra, II The Minangkabau", *American Anthropologist* XXXVI, 1934, No. I; by the same author, *Sumatra, Its History and People*, Wien 1935.

⁸ M. Joustra, *Minangkabau*, 2nd ed., 's-Gravenhage 1923. Although giving much interesting information on new developments in the economic life on the west coast of Sumatra, the author hardly pays attention to the problems of social reorganization of Minangkabau society. This applies to a still greater extent to another work of his, "De Minangkabausche Maleiers" published in the book *De volken van Nederlandsch-Indië*, part I, Amsterdam 1920.

Sumatra",⁹ published in 1928 in the report of the special governmental committee charged with the investigation of the situation on the west coast of Sumatra¹⁰; the thesis of Guyt: Mortgaging of land in Minangkabau¹¹; the inquiry by Bouman: Observations about the development of Indonesian nationalism on the west coast of Sumatra,¹² and the thesis of Prof. de Josselin de Jong: Minangkabau and Negri Sembilan.¹³

The second reason is the circumstance that Dutch authors who had opportunity to study at first hand the economy and the way of life in Minangkabau in the 20th century were, as a rule, government officials and as such interested in the preservation in Minangkabau of the traditional system.¹⁴

In practice the Dutch administrators anticipated the principles of the English functional school. They codified local customs for the purpose of adjusting them to the needs of colonial rule. This tendency affected also their treatment of the situation in individual societies.

The third and last reason is that several authors approached the study of Minangkabau with preconceived opinions as to its social structure. The big familyhouse and the matrilineal system obscured for the observers the processes taking place in Minangkabau society during the last hundred years of which the first decades of our century

⁹ B. J. O. Schrieke, *Het communisme ter Sumatra's Westkust*, Weltevreden 1928. This work has been translated into English and forms part of the publication: B. J. O. Schrieke, *Indonesian Sociological Studies*, The Hague, 1955, p. 83—116 (below I refer to this publication).

¹⁰ The committee finished its task in 1927, soon after the uprising in Minangkabau provoked by colonial oppression and class rule — one of the most important actions of the peoples of Indonesia in modern times. The report of the committee has been published in the publication *Rapport van de Commissie van onderzoek ingesteld bij het Gouvernementsbesluit van 13 Februari 1927*, No. 1a, Weltevreden, 's-Gravenhage 1928, d. I—IV.

¹¹ H. Guyt, *Grondverpanding in Minangkabau*, Bandoeng 1936.

¹² H. Bouman, *Eenige beschouwingen over de ontwikkeling van het indonesische nationalisme op Sumatra's Westkust*, Groningen-Batavia 1949.

¹³ P. E. de Josselin de Jong, *Minangkabau and Negri Sembilan*, Leiden 1951. In this work the author primarily directs his attention to the theoretical problems connected with Minangkabau social structure; the changes in this structure are only mentioned incidentally. I should like to express my thanks to Prof. De Josselin de Jong who enabled me to acquaint myself with his thesis. I also avail myself of this opportunity to acknowledge my particular indebtedness to Prof. Wertheim of the University of Amsterdam for his kind assistance in procuring the necessary materials.

¹⁴ G. D. Willinck, *Het Rechtsleven bij de Minangkabausche Maleiers*, Leiden 1909; L. C. Westenenk, o.c.; C. van Vollenhoven. *Het adatrecht in Nederl. Indië*, 2nd ed., part I, Leiden 1931, p. 246—272.

were especially stormy. The authors who occupied themselves with Minangkabau primarily concentrated on the description of the family where women had a dominating position and men only had the right to nightly visits to their wives. It is for this reason that the facts, already mentioned in 19th century literature (e.g. by Wilken), giving evidence of the break-down of mother right institutions in Minangkabau, first in the outer districts and then in the Padang Highlands as well, have escaped the attention of the scholars.

In those few publications by European and Indonesian authors where the problem of the decay of customary law — or, to use the Minangkabau word, *adat* — is treated at all, the emergence among this people of a new social structure is principally ascribed to ideological phenomena. The break-down of the mother-right institutions according to such an interpretation is mainly due to the fight of the advocates of Islamic law for the consistent application of Islamic regulations. That is the framework of the studies of B. ter Haar,¹⁵ Bouman already mentioned above, Prins¹⁶ and others. That was also the view of the well-known Dutch orientalist, Snouck Hurgronje, expressed in an article, written as early as 1893, in which he prophesied the inevitable downfall of mother-right in Minangkabau: "The population of the west coast of Sumatra and their chiefs are staunch adherents of Islam and that is what determines the future development of the Malayan family."¹⁷ It was, however, not Islam which delivered the death-blow to this system, but in the first place the economic development of the society. Islam had not been able to undermine the matrilineal character of Minangkabau social organization in the course of centuries; it was the changing economic conditions which brought this about in a few decades.

The aim of the present paper is to show the change in family and marriage relations taking place beginning from the end of the 19th century under the influence of internal factors, first of all of economic character, and also as a result of outside influences. Special attention has been given to the region of Minangkabau proper, i.e. the Padang Highlands and adjoining districts, while for comparison material con-

¹⁵ B. ter Haar, *Adat Law in Indonesia*, New York 1948.

¹⁶ J. Prins, *Adat en islamietische plichtenleer in Indonesië*, 3e uitgave, 's-Gravenhage-Bandung 1954.

¹⁷ "Advies van Dr. G. Snouck Hurgronje aan den directeur van justitie" in *Adat-rechtbundels* (further referred to as A R B), dl. I, 1911, p. 31.

cerning the situation in farther regions inhabited by Minangkabau has been adduced as well.

The social structure of the Minangkabau in the Padang Highlands and some adjoining districts towards the beginning of the 20th century, i.e. the time of radical changes in the traditional way of life, may be pictured as follows. The whole population was divided up into four *suku* ("quarter", "part", "part of the tribe"), an expanded original clan. Each *suku* bore its own name: Bodi, Chaniago, Koto,

Diagram of the *sabuah parui*: 1 - ancestress of the whole *sabuah parui* (usually deceased long before the period under review); 2 - ancestresses of both branches (*jurai*) of the *sabuah parui*; 3 - women; 4 - men; I - VI generations of descendants from both ancestresses (B, C); 1 - 40 - members of one *jurai*; a - p - members of the other *jurai*; 26, 36, 37 - *samandai*.

Piliang. The *suku* combined into two groups, the *laras* ("completeness", "agreement", "union"), which may be called *phratries*. These *laras* bore the names Bodi-Chaniago and Koto-Piliang and were distinguished from each other by a number of special traits in their respective *adat*. Territorially the *suku* are at present very much mixed up, so that representatives of one and the same *suku* are scattered all over the

region and beyond it, while the exact boundaries between the two *laras* are just as difficult to define. But in every settlement (*koto*) the members of one *suku* occupied one particular quarter called *kumpulan rumah* ("collection of houses"). Formerly, as all authors unanimously have pointed out, the *suku* were strictly exogamous.

One or several settlements (*koto*) together with their new villages, their land and forests constituted the *nagari* (sometimes called *negeri* or *negari*), i.e. an autonomous village community, at the head of which was the council of elders consisting of the elders of all *suku* and sub-divisions of *suku* represented in a given *nagari*. The *nagari* community was the supreme owner of the land distributed among the *suku* and after that within the *suku* among its sub-divisions. In practice the rights of the *suku* and the *kampueng* to the land had little significance, the principal owner of the land being the large family.

In consequence of the growth of the population the *suku* disintegrated into new exogamous sub-divisions called *kampueng*. The Minangkabau *kampueng* is a genealogical and not a territorial unit, although sometimes this term is used for a village (Malay *kampung*). The members of many (by far not all) *kampueng* retained in memory the name of their clan mother, whereas the *suku* members already had lost all remembrance of their real ancestress. As to the actual number of *kampueng* the different sources are not in agreement. Westenenk holds that in the beginning of the present century the Minangkabau were divided into 96 *kampueng*.¹⁸

A further sub-division of the *kampueng* was the *sabuah parui* or simply *parui* (Malay *perut*), i.e. "born from one belly". This is a group counting five generations descended from one real ancestress. The *parui*-members lived together occupying several houses, or sometimes only one. The *parui* was the principal economic and legal unit of Minangkabau society. One might call it house-community. Further we shall refer to it as "matrilineal extended family".

The *parui* in its turn was divided into several *jurai* ("bunch", "group") each of which comprised from two to four generations. When the *jurai* occupied more than one house, the group of relatives living in one house was called *rumah* ("house"). The last group, finally, was

¹⁸ L. C. Westenenk, *Het soekoe-wezen* (manuscript). Quoted from P. de Josselin de Jong, o.c., p. 67. That the estimates as to the number of *kampueng* differ is accounted for by the fact that in a number of districts the *kampueng* had expanded to such an extent that they already bore the name of *suku* and comprised their own *kampueng*.

the *samandai* ("from one mother"), i.e. mother with her children.¹⁹

The land belonging to the matrilineal extended family could not on any account be alienated, whereas its reallocation was only possible in case of splitting up of the *sabuah parui*. Selling land was categorically prohibited, only mortgaging or leasing it being allowed, but the latter only under extraordinary circumstances (funeral of a family member, marriage of the first daughter, assumption of office by a *panghulu* — elder — and some other occasions). When the family was in debt, the debt ought to be paid first of all by selling property acquired by individual labour and only after that it was allowed to mortgage the family property, always on the understanding that the mortgage could be redeemed at any moment.

The Minangkabau had a rather complicated hierarchy. Every subdivision had its own head: at the head of the *parui* and the *jurai* were the *mama*, at the head of the *suku* and the *kampueng* the *panghulu*. Usually the eldest brother of the oldest woman of a given *jurai* was the *mama*; the *mama* of the oldest *jurai* was at the same time *mama* of the *parui*; the *mama* of the oldest *parui* was *panghulu* of the *kampueng* etc. The elders acted as representatives of their family when decisions had to be taken on all kinds of questions both internal and external. Decisions were taken after discussion in the family-council, in which the women played a very active rôle, especially the oldest woman of the family, the *indue* ("mother").

The indubitable attachment of the Minangkabau to the precepts of their customary law was explained first of all by the isolated position of their country, the slow rate of economic development and the policy of maintaining the traditional forms of social life pursued by the Dutch authorities. As soon as the isolation came to an end and the region was drawn into the sphere of an intensive traffic of goods, the seemingly unshakable foundations of Minangkabau customary law, including family and marriage regulations, started rocking.

The economic development of Minangkabau was greatly influenced

¹⁹ It should be noted that these sub-divisions may not be regarded as static, because when a *jurai* has increased by one or two generations it becomes a *parui* etc. Furthermore the terms current in the different districts do not always coincide which makes for a lot of confusion and considerably hampers the work of the investigator.

by the influx of Dutch capital beginning in the last quarter of the 19th century, when the government and private firms proceeded to the exploitation of useful minerals, when privately owned plantations came into being and the first industrial enterprises were established.²⁰ In connection with the development of plantations and the beginning of intensive exploitation of useful minerals, in the first place coal, the problems of roadbuilding and putting an end to the age-long isolation of Minangkabau urgently presented themselves. A few railroad lines were built and the construction of motor-roads was also begun. Relations were established with neighbouring regions and the former seclusion, created, by the way, to a considerable extent by the Dutch themselves, began to disappear. The production of the Padang Highlands got an outlet in districts where formerly it had no access. At the same time Minangkabau was opened up for the import of foreign products. The stream of cheap foreign goods strongly affected local craftsmanship causing a sharp decline of some of its branches and the complete disappearance of others. Having chiefly relations with the domestic market and therefore not being adjusted to cheap mass-production, local craftsmanship could not hold out against foreign competition.²¹ An extremely important factor operating on the social organisation of Minangkabau was the switch-over to the production of commercial crops among which rubber occupied a special place. Even such crops as rice, peanuts and a number of others, formerly only intended for home consumption, now became articles of commerce.

Beginning in the first decade of the 20th century the rôle of money in the daily life of Minangkabau enormously gained importance. It began gradually to penetrate into all sectors of the economy. Formerly money was needed only in a few cases (e.g. repairs to the decayed family house, giving a daughter in marriage, funeral of a family member or festive installation of a *panghulu*). Now one needed money in order to pay the numerous taxes and duties every year increasing in number,²² to buy off statute-labour, to pay off loans and interest on loans, to buy articles of primary necessity formerly manufactured

²⁰ For details see A. Guber, *Indonesia, Social' no-ekonomičeskie očerki*, Moscow-Leningrad 1932, p. 189, 194—198; M. Joustra, *Minangkabau*, p. 190—199; J. A. Fowler, *Netherlands East Indies and British Malaya*. Washington 1923, p. 204.

²¹ See M. Joustra, o.c., p. 188—189; H. J. Boeke, *The Evolution of the Netherlands Indian Economy*, New York 1946, p. 123—125.

²² Towards 1930 the population of the West coast of Sumatra paid more than 20 different kind of taxes and duties.

locally (clothing, footwear etc.) and to buy food-stuffs the production of which had stopped on account of the switch-over to the cultivation of commercial crops. In 1927 the entire budget of the Minangkabau farmer was for 66—85 % money, whereas that of the inhabitants of Padang, Pariaman and other cities for almost 100 %.²³

With the penetration of foreign capital the internal forces undermining the natural economy of the Minangkabau gained the upper hand. Cases of mortgaging of the family-land became more frequent and the stratification of the community was greatly speeded up. The community members, finding themselves without land, went to the plantations as agricultural workers or they joined the ranks of railroad workers and miners.

In agriculture hired labour was already not only employed on the plantations owned by foreigners or members of the ruling clique. Now many farmers who had grown rich resorted to hired labour not only for the cultivation of commercial crops but also for the tillage of their rice-fields. The traditional system of mutual help (*tolong-menolong*) was more and more superseded by the procedure of hiring labour at a fixed wage.

Towards the twenties appeared in Minangkabau the first representatives of a local bourgeoisie, at first traders and afterwards farmers and even petty industrialists in connection with the small ventures of the manufacturing industry. Together with the formation of a local bourgeoisie a proletariat came into being, the overwhelming majority of which consisted of agricultural workers. These processes affected in the first instance the outer districts of the region. E.g. in the district of Korinchi (southern part of Minangkabau), in 1927 nearly 20 % of the adult male population consisted of agricultural workers.²⁴

Thus the transition from a semi-natural to a commodity economy and the fact that local agriculture was more and more drawn into the sphere of world economy, in connection with the introduction of commercial crops, gave rise to profound changes in the social life of the Minangkabau. The further development of their economy raised the question of the break-up of the territorial community.

Leaving the problems regarding the disintegration of the community and the beginning of a capitalistic society for a separate paper, we shall confine ourselves to the changes occurring in family and marriage relations.

²³ See "Rapport van de Commissie...", part 2, p. 18.

²⁴ B. Schrieke, o.c., p. 104—105.

The changes in the principles underlying family and marriage life concerned in the first place clan-exogamy, the basic rule regulating marital relations in Minangkabau. With the development of trade and monetary relations and with the break-up of the extended family exogamy of greater genealogical units rapidly began to disappear. The number of people to whom the prohibitory rules regarding marriage did not apply increased all the time. Naturally the disappearance of *suku*-and *kampueng*-exogamy was determined to a considerable extent by the growth of the population. So, according to the census of 1920 the total number of Minangkabau on the west coast of Sumatra was over 1,400,000,²⁵ but according to the census of 1930 this number was 1,800,000.²⁶

Already towards the end of the last century marriages within the *kampueng*, and to a still greater extent within the *suku* (but between different *parui*'), had become common practice.²⁷ It was often seen that in one and the same districts members of one *kampueng* observed the rules of exogamy, whereas the members of another did not. E.g. in Pangkalan Kotabaru the *kampueng* Piliang, Domo, Chaniago were exogamous, while Patapang, Malajo and Mandéling confined themselves to *parui*'-exogamy.²⁸ Usually the first stage in the development was that one *kampueng*, having detached itself from the *suku*, stopped being exogamous with regard to its *suku*, then another, until at last the exogamy of a given *suku* had disappeared altogether, passing to the *kampueng* and henceforth being restricted to the *parui*'.

In the central districts *suku*-exogamy disappeared at a slow rate. Here, still during the first quarter of the present century cases of punishment for infringement of the rules of *suku*-exogamy were not infrequent. Willinck tells about a high-ranking *sheikh* from Minangkabau who had to give up his wife because she belonged to the same *suku* as he did. His pleading that there had not been any violation of the *shariat*, the Islamic law, was of no avail.²⁹ This episode took place in the beginning of our century. At the present time *suku*-exogamy also in these districts has almost entirely disappeared. Traces of it are encountered, for instance, in Suliki, where marriages between

²⁵ ["Indisch Verslag", 1933, p. 34.

²⁶ ["Indisch Verslag", 1937, p. 15.

²⁷ P. E. de Josselin de Jong, o.c., p. 60. Cp. G. A. Wilken, *De verbreiding van het matriarchaat op Sumatra*, part 2, p. 182, note 68.

²⁸ G. D. Willinck, o.c., p. 431.

²⁹ G. D. Willinck, o.c., p. 434.

members of the *kampueng* Jamba and Patapang and between members of the *kampueng* Guchi and Piliang are prohibited as each of these pairs of *kampueng* belong to the same *suku*.³⁰ But in a large part of the Padang Highlands the *parui* constitutes the basic exogamous unit. Marriage within the *jurai*, let alone within the *rumah*, are forbidden. People infringing the rules of *parui*-exogamy are punished. E.g. in 1918 the Court of Tandjung Barulak (district of Batipu) imposed a heavy fine on a chief who had married a distant niece, deprived him of his title of chief and annulled the marriage.³¹ In 1922 the adat court in Batipu Baru outlawed a chief and his wife (formerly this was equivalent to a death-sentence) for infringement of *jurai*-exogamy, the sentence applying also the mother and the grandmother of the woman because they had rendered assistance to the contraction of an unlawful marriage.³² Analogous trials took place in the thirties and forties; we shall deal with them below.³³

The most drastic changes were seen in the economically developed outer districts where, moreover, a considerable part of the population had newly arrived from the central districts of Minangkabau.³⁴ Considerable change occurred also in those districts of the central region where trade and monetary relations had most rapidly developed. Here, towards the present time the prohibitory rules in connection with *suku*- or *kampueng*-exogamy had entirely or almost entirely disappeared, the only remaining exogamous units being the *parui*, but even those by far not in all cases. As to the towns and villages of the coastal region (districts of Painan, Padang and Pariaman), here the prohibitions only concern the nearest relatives, although people still retain in memory as to which *suku* they belong.

Profound changes occurred in the *parui* with regard to property and the very structure of this matrilineal extended family. The so-called "Board of Adat", called together in the central town of the region, Fort de Kock (now Bukit Tinggi), in 1910, already noted that the inviolability of family-property and the traditional rules of the *parui* regarding ownership of land were not strictly observed, that the large

³⁰ P. E. de Josselin de Jong, o.c., p. 60.

³¹ "Dorpsrechtspraak in familie- en erfrechtzaken (1918—1926)" ARB XXXIII, 1927, p. 148—149.

³² Ibidem, p. 149—153.

³³ Owing to several reasons publications concerning the years 1940—1950 are unfortunately extremely scarce.

³⁴ G. D. Willinck, o.c., 429—430.

family houses became deserted, that nuclear families detached themselves and that the laws of inheritance underwent change.³⁵

After 1910, in consequence of the intensive economic development of Minangkabau, these processes were enormously speeded up. It is interesting to note that even books written by conservative Minangkabau authors and intended to show the stability and the soundness of the *adat* testify to the break-up of the matrilineal extended family and the clan-relations.³⁶

Let us now consider some specific peculiarities attending the break-up of the matrilineal extended family and the formation of small families. The break-up of the *sabuah parui* was preceded by the gradual weakening of the ties uniting the members of one and the same *suku*. In many districts these ties had practically lost all meaning. The weakening and the disappearance of the clan-relations was observable first of all in the coastal and outer districts of the west coast of Sumatra, such as Padang, Pariaman, Korinchi and others. It stands to reason that a considerable part of the city population already did not maintain relations with their respective *suku* for the reason that there was no practical need for it.

The process of weakening of the family ties also affected the *parui*. As factors greatly conducive to the break-up of the *parui* must be mentioned seasonal work and emigration. "One could hardly find another people in the archipelago — Joustra wrote about the Minangkabau — out of whose midst so many men go abroad.³⁷" In the beginning the main reasons for emigration were the lack of land in the central districts owing to the constant growth of the population and the conservative character of the family-system not giving enough scope to personal initiative. Additional reasons were the Dutch system of compulsory crops and forced labour, both being exceedingly burdensome to the population. From the beginning of the 20th century, owing to the growing stratification of the peasantry, its dispossession and impoverishment caused by the penetration of capitalistic conditions, the number of people taking part in seasonal work rose sharply. To-

³⁵ "Verslag van een vergadering over herziening van het adatrecht te Fort de Kock", ARB VI, 1913, p. 207—220.

³⁶ I. Gelar Datoek Sangguno Diradjo, *Kitab Tjoerai Paparan Adat Lembaga Alam Minangkabau*, Fort de Kock 1919; by the same author, *Kitab Peraturan Hoekoem Adat Alam Minangkabau*, Fort de Kock 1919; by the same author, *Mustiko Adat Alam Minangkabau*, Djakarta 1955 (the first two books I know only from quotations); A. S. Pamoentjak, *Pertemuan*, Batavia 1927 (known to me from quotations), and other publications.

³⁷ M. Joustra's *De Minangkabausche Maleiers*, p. 158.

wards 1925, in a number of districts a quarter of the entire male population left their homes to work elsewhere.³⁸ Many of those workers, who were called *manchari* ("looking for a job") gradually lost contact with their home country. They settled down in their new surroundings and raised families. Although the Minangkabau outside their home country preferred to hold together in small colonies, they nevertheless inevitably mixed with the local population, losing thereby the specific features of their customary law. Joustra even asserts that the only thing that remains to the Minangkabau living outside their home country is the memory of their origin.³⁹ That is completely true, the only exception being those areas where Minangkabau live together in large, dense conglomerations. In such places (e.g. in Negri Sembilan in Malaya) their traditions are much better preserved.

But there were other, more deeply rooted reasons than seasonal work which caused the ties holding together the matrilineal extended family to weaken. People gradually changed their views as to the indissolubility of the bonds uniting all members of the *parui'* irrespective of their habitat. The right of absent *parui'* members (e.g. *manchari*) to the family-property was not always taken into account any more. When assessing the right of a *parui'* member to the family-property people made use of a new criterion, i.e. the criterion of work. Only those were entitled to the yield of the family-lands who had actually worked there and anyone, even the nearest blood-relation, could be deprived of his share in the crops, if he had not taken part in the planting, the tending of the fields and the harvesting. Here clearly comes to light the tendency to restrict the circle of people entitled to the yield of the family-lands, which had now become a commodity, a marketable article.

A remarkable trait was the almost complete disappearance of the vendetta, in as much as this was not only due to the Dutch legislation putting a ban on it, but also to the *parui'* not shouldering any more the responsibility for the delinquencies of one of its members. Another characteristic trait was the declining importance of the *rapè' kaum*, i.e. the extended family-council. Formerly nothing that concerned the interests of the extended family could be decided on without the interferences of the family-council, consisting of all adult *parui'* or *jurai* members whose views were propounded by the *mama'*, decisions being

³⁸ B. Schrieke, o.c., p. 101.

³⁹ M. Joustra's *Minangkabau*, p. 208.

taken only by common consent (even one dissentient voice made it impossible to come to a decision). Now this condition was hardly observed any more.⁴⁰ With the ties within the *parui'* weakening, with individual families breaking away, with individual *mama'* growing rich, the significance of the *rapè kaum* steadily diminished. A single majority was now sufficient to decide on any question at issue. Very often it was the *mama'* alone who took the decision, then presenting the whole family with an accomplished fact. Not infrequently, however, the *mama'*, especially when he had grown rich, managed the affairs of the *parui'* all by himself without even taking the trouble of informing anybody else about his decisions.

The penetration of commercial and monetary relations contributed to the further decay of the traditions in accordance with which the extended matrilineal family was controlled. Formerly women only exceptionally acted as *mama'*. Many authors who had opportunity to make themselves acquainted with the social structure of Minangkabau noted that only men could be *mama'* and that women were met with in this capacity only there where the men entitled to this post were absent or such men were not to be found altogether.⁴¹ Under the new conditions, in view of the fact that a considerable part of the men were involved in some activity or other entailing prolonged absence (that being often precisely the *mama'*, or men entitled to be *mama'*), one could meet with women acting as *mama'*. This process is reflected in the census of 1930.⁴²

The process of splitting-up of the large family-property, called *harto pusako* ("inalienable, hereditary property"), affected all its forms including the family-lands.

In consequence of the growing need of money people resorted to mortgaging the principal property of the extended matrilineal family, i.e. the land. Formerly it was the *mama'* who arranged the mortgage, after he had come to agreement with all the adult members of the family concerned in a lively discussion in which the women played a not inconsiderable part. Now very often the *mama'* concluded such transactions without informing the other members of the family. On the other hand, ordinary members of the community, when needing money,

⁴⁰ M. Jousstra, *Minangkabau*, p. 127. This applies especially to the coastal districts. (ibidem, p. 132).

⁴¹ See V. E. Korn, "De vrouwelijke *mama'* in de Minangkabause familie", *Bijdr. tot de taal- land- en volkenkunde*, no. 100, 1941, p. 305-306.

⁴² "Volkstelling", part IV, 1930, p.64.

also mortgaged their holdings of the family land. As an ever growing number of community members got into financial difficulties, the family-property steadily diminished in size. Gradually mortgaging land became the usual practice, leading to the dispossession of one part of the community and the concentration of land in the hands of a few chiefs, family heads and individual, prosperous members. For the time being this did not yet amount to complete alienation, in so far as right up to the present time, in the central districts of the region land is considered to be the property of the *parui*'. But in practice mortgaging land often meant turning it over to somebody else for permanent use. Already in the thirties land which was not inherited but acquired in another way could be sold. The splitting-up of the family-property became more and more frequent and the rights of the new owners ever extended, until at last the individual member became sole owner of the land instead of joint owner (co-user). The process of weakening of the family ties became especially noticeable in the economically most developed districts where mortgaging family land had become an everyday occurrence and such land occasionally was sold.⁴³

It is interesting to note that women, the jealous guardians of the family property, whom the Minangkabau proverb called "the stronghold of the *harto pusako*", now sometimes also took part in the mortgaging of land.⁴⁴ In the minutes of the district courts of the thirties (of the subsequent years there are no records) one finds enough examples of women mortgaging land, of course with the assistance of the *mama*'.⁴⁵ But this did not mean at all that the social position of women had become more independent or that they had become more emancipated. On the contrary, women were deprived of the high status they held in the *parui*' as guardians of the family property. In the small families which came into being they even enjoyed considerably less rights than before, as these families were organised along the lines of Islamic law with its strongly marked father-right.

The changes occurring in the relations between the *parui*' members did not end with the fight for possession of the family property. Chiefs

⁴³ B. Schrieke, o.c., p. 125. For more details see Guyt's thesis, *The mortgaging of land in Minangkabau*.

⁴⁴ B. Schrieke, o.c., p. 121 According to the adat women did not have the right to contract loans or to give bail, let alone to mortgage land, although they took an active part in the discussion of questions related to such transactions (see G. D. Willinck, o.c., p. 392, 403, 601 and passim).

⁴⁵ V. E. Korn, o.c., p. 320.

of all ranks not only tried to secure the land of the community members but also to enslave them,⁴⁶ and one of the principal means to achieve this end was usury. Schrieke wrote in 1928: "In those places where the *panghulu* still are independent owing to the fact that they have control of the extended family-property, they often try to enhance their own prestige and to bend the villagers to their will by keeping them in never-ending debt".⁴⁷

Formerly, in most districts of Minangkabau a certain part of the harvest had to be set apart for the family-storehouse, the *lumbung*. E.g. in Solok two thirds of the harvest was distributed among the family-members whereas one third was transferred to the storehouse. With the switch-over to commercial crops and with the family land beginning to split up, this custom gradually lost its obligatory character.⁴⁸ However, the splitting-up of the *paru* property did not happen all at once. Even in the most developed districts it occurred not infrequently that e.g. "petty traders having received their working capital out of the family funds had to give a detailed account of their affairs once a year when they came home for the fasting month".⁴⁹

Particularly characteristic for the period under review was the gradual neglect of the large *adat* houses, the so-called *rumah gadang*. The old *adat* houses, where often 80—100 persons, i.e. a branch of the matrilineal extended family, the *jurai*, were living together, were gradually replaced by small houses for one family. At the end of the twenties the building of new *adat* houses had become a rare occurrence. They did not correspond any more to the new forms of economic activity. Moreover the existing *adat* houses became deserted. Nevertheless the tradition still remained strong as is clearly shown by the fact that some of the *adat* houses are occupied even in our days. In an article published in the journal *Indonesië* of 1955 one reads: "Outside the towns the population by no means regards the *adat* houses as abolished. *Adat* houses keep their significance and as a matter of fact will keep it until the day the population renounces its *adat*".⁵⁰ A number of very big *adat* houses are preserved in Silit Air. The

⁴⁶ The processes of feudalization taking hold of the districts east and north-east of the Padang Highlands are treated by G. Kunov (see his book *General History of Economy*, part I, Moscow-Leningrad 1929, p. 413—418).

⁴⁷ B. Schrieke, o.c., p. 140.

⁴⁸ B. Schrieke, o.c., p. 125.

⁴⁹ Ibidem, p. 141.

⁵⁰ *Indonesië* VI, No. 4, 1955, p. 45.

biggest of them has 20 apartments.⁵¹ In the central regions of Minangkabau one finds them in every *nagari*. Even deserted *adat* houses are kept in order; people look after them and do their best to keep them in repair. This is done by family members who in the old days have lived there but are now living somewhere in the neighbourhood. The *adat* house is a kind of family museum and serves as a reminder of their genealogical unity. However, as a rule, it is no longer the whole *parui'* which is living there but only its remainder. Towards the end of the twenties the house for one or several families, but not for the matrilineal extended family, had become the usual type of dwelling.

The traditional rules applying to marriage also underwent great change. Formerly the proposal of marriage came from the family of the girl, while giving her in marriage was the concern of her matrilineal family. This constituted one of the fundamental rules governing marriage. Now the family of the father began asserting itself more strongly in questions pertaining to marriage and clashes between the *mama'*, representing the mother group, and the *wali*,⁵² representing the father group, were not infrequent.⁵³

Marriage was less and less regarded as a matter which concerned the whole *parui'*. It became the rule (especially in the outer districts) that the man himself chose his wife, often even without asking the head of the *parui'* or the *jurai* for permission to marry. The *mama'* for his part already did not always venture to remind him of this. Likewise the *mama'* ever more seldom insisted on the presents due to him according to custom from the bridal couple. Before, the size of such presents had already diminished. E.g. in Suliki the present had become purely symbolic, it being reduced to half a cent.

The young generation was striving to shake itself free from the preferred marriage to the mother's brother's daughter,⁵⁴ and did its best to escape from the severe rules of *suku*, *kampueng* and even *parui'* exogamy.⁵⁵

⁵¹ B. Schrieke, o.c., p. 117. It is curious that the Dutch authorities tried to preserve the *adat* houses. E.g. in the district of Fort van der Capellen the district officer stimulated as much as possible the building of new *adat* houses and the restoration of old ones, resorting even to measures of compulsion. *ibidem*, p. 114.

⁵² *Wali* is either the father of the girl or her father's father or a male relative of her father's. As to his rôle, see G. D. Willinck, o.c., p. 489-492.

⁵³ J. Prins, o.c., p. 42.

⁵⁴ Cp. P. E. de Josselin de Jong, o.c., p. 117.

⁵⁵ *Ibidem*.

Needless to say that all this involved struggle, the end of which, even at the present day, is still far from being in sight. The theme of the lovers thwarted by the parents, who have another match in view for their children, and the theme of the unhappy marriage not based on love are much in evidence in Minangkabau literature of the years 1920—1930.⁵⁶ In the central regions of Minangkabau, e.g. around Lake Singkarak, it is still the family of the girl which takes the initiative in proposing marriage, although here, once in a while the initiative may come from the man's family. Here the bride and groom themselves still have very little choice in the matter. The Minangkabau writer Radjab says: "Who his bride was he mostly did not know or he was not even acquainted with her. Usually it was not the girl whom he had thought of as a future wife".⁵⁷

According to customary law the *nagari* was an endogamous unit: marriage had to be concluded between the inhabitants of one *nagari*. This rule applied with special stringency to women. A girl marrying into another *nagari* forfeited all her rights to the family property and was excluded from the family. This rule was strictly adhered to by all family heads (*mama'* of the *jurai* and the *parui'*) and by the chiefs of the *kampueng* and the *suku* as well, because infringement of it would lead to disruption of the traditional system of ownership of the family property and its inheritance within the genealogical unit concerned, which would be disadvantageous to the *mama'* or the *panghulu*. Marriage of a woman with a foreigner (as every man not belonging to the *nagari* was) was looked upon as a serious infraction of customary law. E.g. in the trial taking place in the *nagari* Koto Gadang on the 23rd April 1920 "the *nagari* Board" banished a woman from the community and deprived her of all her rights for having married a Javanese.⁵⁸ It is interesting to note that this woman was no longer living in her *nagari*, being employed, just like her husband, in the post office at Medan (Northern Sumatra). In the beginning of the thirties a woman from the same *nagari* married an official living in Palembang. Her family thereupon broke off all relations with her.⁵⁹

⁵⁶ G. W. J. Drewes, "Oud en nieuw in de hedendaagsche Indonesische Letterkunde", *De Gids*, 1932, No 9 (especially p. 331); C. Spat, "Moderne Maleische Litteratuur", *Koloniaal Tijdschrift*, No 3 (especially p. 280); M. Radjab, *Semasa ketjil dikampung (1913—1928)*. *Autobiografi seorang anak Minangkabau*, Djakarta 1950 (especially p. 263).

⁵⁷ M. Radjab, o.c., p. 263.

⁵⁸ A R B XX, 1922, p. 143—146.

⁵⁹ J. Prins, o.c., p. 45.

About the conflict of a young Minangkabau who had gone away to try his luck in West Java and who came back with a Sundanese wife we are told in the novel by Iskandar, *Karena mentua* published in 1932.⁶⁰

It is only natural that the question of the abolition of *nagari*-endogamy became a matter of heated debate. The women themselves protested against endogamy. In 1924, after the above mentioned case in the *nagari* Koto Gadang, the women of this *nagari* appealed to the *Kerapatan adat* (*adat* Board) with the contention that the rule prescribing marriage within the *nagari* did not apply to men, hence, they argued, it was one-sided and prejudicial to women's rights.⁶¹ The women asked permission to marry outside the *nagari* and also the right to marry within the *suku*. In their appeal the women pointed out that the marriage which had called forth such a stern decision from the part of the *nagari* Board had been concluded in accordance with all the precepts of Islamic law. However, only as late as 1935 the chief of Koto Gadang decided to abolish the ban on marriages with men from another *nagari*. Yet this decision did not mean that women from now on were completely free in their choice of a husband.⁶²

The examples adduced above clearly show how long and arduous a battle had to be fought in order to attain the abolition of the antiquated standards of mother right applying to family and marriage relations in Minangkabau. However, the urge to free men and women alike from the power of the matrilineal extended family showed itself everywhere. In this connection freeing women was taken in the broadest sense of the word. For instance in one of the numbers of the newspaper "Young Sumatra" of the year 1919 an article appeared which said that "the deep sorrow borne by women" could be done away with, "when man will see in woman more than he has seen in her up till now; when he will look upon her as the companion of his life equal to himself".⁶³

The transition to patrilocality, closely connected with the formation of small families, was a new element in the standards of married life. As regards the outer districts of Minangkabau, cases of the woman going to live in the home of her husband had been reported already at the end of the last century. The Dutch civil servant Kooreman wrote

⁶⁰ N. S. Iskandar, *Karena mentua*, Batavia 1932. Quoted from P. E. de Josselin de Jong o.c., p. 177.

⁶¹ H. Bouman, o.c., p. 49.

⁶² Ibidem, p. 29—30.

⁶³ Ibidem.

in 1892 that in Indrapura (south of the Padang Highlands) the man had to take his wife in.⁶⁴ This also became the prevalent custom in the Indragiri district (east of the Padang Highlands right up to the coast of Malacca Straits).⁶⁵ At the end of the 19th century the new custom could also be observed in the Padang district and in a number of other places. In 1930 an Indonesian official, adviser of the Resident of the West Coast of Sumatra, noted that in the coastal districts, and also in the districts newly opened-up, matrilineal extended families were entirely absent.⁶⁶ This applied equally to Painan, where *parui*-members did not live together any longer, and to other outlying districts.

In the centre, in the Padang Highlands and in those districts where the beginning development of capitalistic conditions, the stratification of the peasantry and the ensuing break-up of the *parui* had gone farthest, the process of formation of small families had accelerated. Every more or less well-to-do farmer took his wife in. If he could not do this at once, he did it after some years of married life when he could afford to build a separate house for his family. There is no doubt that Islam with its father-right played an important though not the main part in the break-down of the matrilineal system underlying Minangkabau family life. The Minangkabau clergy and also the *hajjis* (people who have performed the pilgrimage to Mecca) lived according to the principles of father-right. The personal example of the clergy and the *hajjis*, giving additional force to the incessant propagation of Islamic laws pertaining to family property and marriage, exerted influence on the surrounding population.

The transition to small families was also greatly furthered by emigrants. Not unfrequently they came home with a new family and very often settled in another *nagari* in order to be exempt from the "*adat kamanakan*" ("the right of the nephews"), in accordance with which the father's property is not inherited by his children but by his sister's children. Naturally these families did not live according to the principles of Minangkabau customary law but according to those of father-right. "At the present time", Joustra wrote in 1923, "there are

⁶⁴ P. I. Kooreman, "Aanteekeningen van den toenmaligen assistent-resident...", A R B XI, 1913, p. 147.

⁶⁵ A. F. Graafland, "De verbreiding van het matriarchaat in het landschap Indragiri", *Bijdragen tot de taal- land- en volkenkunde...*, part XXXIX No I, p. 44.

⁶⁶ A R B XLI, p. 392 and ff. Quoted from J. Prins o.c.

Minangkabau, and among them people well-known and esteemed in the native world, who either have returned to their country with a wife from abroad, or were born there from a mixed marriage. For the institutions of the matriarchate — the author adds — such families and persons are lost”.⁶⁷

Those Minangkabau who returned without a wife likewise tried to escape from “the right of the nephews”. When the returned person was rich, he chose himself a wife and took her along after having bestowed lavish presents on his wife’s family, a proceeding which reminds one of the custom of paying a bride-price.⁶⁸

While in the economically developed districts transition to patrilocality became the general rule (although with numerous exceptions), in more isolated districts the old rules proved extremely tenacious: e.g. in Koto Anai, in Solok and many other places in the Limapuluh Koto district it happens that a woman is provided for by her brother and not by her husband. In that case the latter has only to give some presents every year and a little money.⁶⁹ Here “the right of the nephews” is also preserved to a considerably greater extent than elsewhere.

Here the preservation of the matrilineal extended family is explained to a considerable extent by the low level of economic development, which made the male population leave the *nagari*.

The changes also affected the marriage ceremonies. According to the *adat* the marriage ceremony had to take place in the home of the bride: now, however, it began to be performed in the mosque. The numerous prohibitions with regard to the relations between the husband and his wife’s parents either underwent change or disappeared altogether.

One of the stages in the development of small families was formed by the transfer of guardianship of the son from the *mama’* to the father. The idea that the father was responsible for the education of his son gradually gained the upper hand and it became the custom that the father and not the relations on the mother’s side paid the school fees of the son.⁷⁰

The break-up of the *parui’* and thereupon of the *jurai* and the formation of small families meant that the traditional bonds between the

⁶⁷ M. Joustra’s *Minangkabau*, p. 95.

⁶⁸ M. Radjab, o.c., p. 261.

⁶⁹ B. Schrieke, o.c., p. 117.

⁷⁰ P. E. de Josselin de Jong, o.c., p. 116.

kampueng and the *suku* became disrupted, ceased to be regular and at last disappeared altogether. Formerly these bonds found their expression in the existence of four exogamous clans tied together by the favoured marriage to the mother's brother's daughter and by the rather wide-spread custom of the sororate and also in the existence of three different legal groups, i.e. the mother-right group (the group to which ego, ego's mother and all ego's relations on the mother's side belong) the group of ego's father (called *indue' bako*), and the *pasumandan* group, to which the wives of the men of a given matrilineal extended family belong. Now the obligatory marriages came to be replaced by marriages between representatives of the most divergent clans and their sub-divisions. The number of marriages concluded on the strength of mutual attraction increased. The social organisation of Minangkabau lost its distinguishing traits of unilateral (circulatory) connubium. The genealogical factors in marriage gradually lost their significance. All this naturally undermined the authority of the family heads and the clan-chiefs, and they accordingly put up a stubborn resistance to the new tendencies.⁷¹

The accumulation of property in the hands of private persons worked a great change in matters of inheritance. Above we mentioned the mortgaging of lands of distant relatives or of persons not belonging at all to the matrilineal genealogical group concerned. Particularly radical, however, were the changes occurring in the rules pertaining to the inheritance of privately acquired property, the so-called *harto pancharian*. Formerly, in accordance with "the right of the nephews", the children's right to property acquired by their father were extremely restricted. The bulk of this property went to the father's sister's children, i.e. ultimately to the nieces. However, already from 1830 on a number of authors noted that the *harto pancharian* under various pretexts was given, in whole or in part, to one's own children. During the second half of the 19th century this procedure steadily gained ground and from the beginning of the 20th century there appeared new rules regulating the disposal of privately acquired wealth, in particular of persons who had died intestate.

Violation of the *adat* concerning the right of succession began first of all among the propertied classes of the population, viz. the merchants and, however paradoxical this may sound, the chiefs. Precisely among

⁷¹ P. E. de Josselin de Jong, o.c., p. 117—118; B. Schrieke, o.c., passim; Abdul Muis, *Nepravilnoe vospitanie* (translation from Indonesian), Moscow 1960.

⁷² B. Schrieke, o.c., p. 119.

the ruling clique it became the rule that the *harto pancharian* passed to one's own children.⁷² As early as 1895 a Dutch author wrote that "this procedure chiefly occurred among Malay merchants, *hajjis* and chiefs, in short amongst those who had come into contact with money economy".⁷³

With the stratification of the community and the *parui'* and with the propertied classes more and more detaching themselves, an ever-growing number of community members did not adhere any more to the old rules regarding inheritance of privately acquired wealth. With the population of the outer districts this obtained already at the end of the 19th century. Kooreman noted in 1892 that "there the family (the *parui'* J. M.) does not constitute the last sub-division of the tribe, but, in consequence of the marriage of its members, it is divided into families consisting of man, wife and children. The *harto pancharian* becomes the property of the family and is inherited by the children".⁷⁴ During the twenties property earned by the father in many parts of the Padang Highlands passed to his own children. This was arranged by means of a donation (*hibah*) or on the deathbed by last will (*umanè'*).⁷⁵

As regards the transfer of the right of succession from the nephews to the children there is still another remark to be made. We have to bear in mind that it would not be correct to assume the former existence of an all-embracing and exclusive "right of the nephews",⁷⁶ the children being utterly disregarded by their father. The Dutch scholar Korn writes apropos of this: "The view that formerly, in accordance with the *adat*, the interests of a deceased person's children were not taken into account at all and that bequeathing property to one's children (in the form of *hibah* or *umanè'*), was a deviation from the Minangkabau right of succession gradually coming into practice under the influence of external forces (Islam, development of the small family of Western type) — this view is opposed by the Minangkabau themselves".⁷⁷

The division of the deceased father's property was subject to certain rules. When the children were sufficiently provided for by their mother's family, they did not inherit from their father; when, however, the mother's family was poor, then the children shared in the father's

⁷³ Quoted from B. Schrieke, o.c., p. 119.

⁷⁴ P. Kooreman, o.c., p. 147.

⁷⁵ M. Joustra, *Minangkabau*, p. 114.

⁷⁶ See the corresponding references: J. Prins, o.c., p. 44 and ff., 114.

⁷⁷ V. E. Korn, o.c., p. 314—315.

estate or, sometimes, got it all. In the last case the nephews were content with a *tando* (sign), e.g. a complete set of their uncle's clothes as a symbolic recognition of their rights.⁷⁸ As formerly the *hibah* was accompanied by an elaborate ceremonial, the father usually preferred to bestow gifts in private. Thus the facts concerning inheritance of the father's property by his children remained almost unknown.⁷⁹

In the period under review the laws of inheritance underwent change, in so far as the prosperity of the children's mother's family was not taken into account any more. The father anyway made a point of handing over his property to his children. A practice which became widespread all over Indonesia was that of *umanè'*,⁸⁰ i.e. the testator enumerating his property item by item and making his last will. He acquainted the assembled people with the nature of the property about to be bequeathed (inherited, acquired by one's own labour before or after the marriage etc.), and divided it among his heirs doing his best to prevent quarrels. Property handed over by means of *umanè'* or by donation did not return any more to the testator's wife's family, which of course weakened the *parui'* and contributed to its break-up.⁸¹

In the Padang Highlands the transition to the new forms of inheritance did not go without violent conflicts.⁸² Even where children as a rule inherit from their father they have yet to share with the father's sister's children, sometimes to the extent of one half of the inheritance. Otherwise the nephews may contest donation or the deceased's last will. The juridical arguments advanced are either that the property in question is governed by an old *adat* rule, i.e. "the right of the

⁷⁸ V. E. Korn, o.c., p. 315. In this connection we refer to Wilken's information to the effect that the father's *pancharian* is inherited in the first instance by his sons and, only in default of sons, by his daughters. In the last case the sister's children also receive a part of the property. Wilken explains this in this way that the daughters, without infringement of the matrilineal right of succession, are provided for by the *pusako* (G. A. Wilken, *Verspreide Geschriften*, part II, Semarang 1912, p. 184). De Josselin de Jong (o.c., p. 57) agrees with him. Both failed to perceive the essential, i.e. that the passing of the *pancharian* from the father to the sons reflects the development of father-right. Van Vollenhoven, in connection with this, suggested the following: it is quite possible, he said, "to see in the above mentioned generosity on the part of the father and in... the bequeathing (of property J. M.) by the father himself the principle of the patrilineal system of tracing descent crossing, from time immemorial, the matrilineal system". (Quoted from V. E. Korn, o.c., p. 134, note 3).

⁷⁹ A. Verkerk Pistorius, o.c., p. 45.

⁸⁰ The Malay *umanat*, the Javanese *wekas* (or *weling*) etc.

⁸¹ G. de Moubray, o.c., p. 202.

⁸² B. Schrieke, o.c., p. 156.

nephews", or that it constitutes a part of the family property or was acquired by means of the latter. Over every part of the inheritance passing from the nephews to the children there arose prolonged disputes. Schrieke reports the following: "... in many areas it became the rule that sister's children may not contest the right of the children to a small legacy (as we see there is as yet only question of small property J. M.) out of the property acquired by the father by his own labour and left to his children in the form of a gift, except in three cases: first, in case of open enmity; second, when the inheritance is very large; third, when an unexperienced lawyer takes action in the case".⁸³

In order not to incur the displeasure of his kinsfolk, a man sometimes built a house for his son, under matriclan laws belonging to his wife's family, and gave him in marriage to his sister's daughter. In this tendency to conclude marriage with the father's sister's daughter we clearly observe the increasing part played by the father's *parui*, in other words gradual transition from matrilinearity to patrilinearity.

It is interesting to note that the old laws of succession sometimes were seen to be in force in developed areas. This shows how strong the traditional bonds and rules were.

Many prosperous Minangkabau left their *nagari* and settled in another one where nobody was likely to claim a part of their property. For the same reason Minangkabau who had grown rich abroad preferred not to return home but confined themselves to sending money, because they knew that in their home *nagari* they would be obliged to share their possessions. If, however, they were not generous, they would outrage the *adat* and the feelings of their relations. Many of such new-rich came back for a few weeks in order to show off their wealth, organised one or more parties for their relations and then went back again. A very colourful description of such visits is given in Mohammad Radjab's autobiographical book.⁸⁴

The economic crisis setting in in 1929 and the following years of depression and also the activity of the Dutch, who reverted to their policy of preserving the socio-economic conditions of the Indonesian peoples, retarded for the time being the definitive disappearance of matriclan survivals and slowed down the disintegration process of the community. In their policy of maintaining antiquated forms of social organization the Dutch authorities relied principally on the chiefs, who were inter-

⁸³ R. Schrieke, o.c., p. 118.

⁸⁴ M. Radjab, o.c., p. 261.

ested in the preservation of the matrilineal extended family. The fight against obsolete customs became political in character. The 20th congress of the Sarekat Islam in May 1934 adopted a resolution to the effect that Minangkabau customary law gradually should be abolished. It was pointed out in the resolution that the *adat* only recognized kinship through the mother's line and that therefore man and wife could not found a family (the man only visited his wife); that not the husband but the *mama'*, the mother's brother, was the head of the family; that the man could not exercise his rights as husband and father and that the children were not his heirs (they could only receive presents). Furthermore it was stated that such laws were in flat contradiction with Islamic law in accordance with which man and wife should form a family, the man being its head and the children belonging to both marriage partners. In conclusion it was suggested that the transition to new forms of family organisation be stimulated as much as possible.⁸⁵

The "Adat League of Minangkabau" (*Sarekat Adat Minangkabau*) representing, in the main, the Minangkabau chiefs, organised numerous protest meetings where the league members extolled the old rules regulating family and marital relations, pointing out that with the downfall of customary law the high social position of women would come to an end; that the traditional bonds tying together the *parui* would be disrupted and that consequently the material conditions of the whole population would deteriorate. They argued that the process whereby small families were moving out would undermine Minangkabau society.⁸⁶ One of the prominent representatives of the League, Datuk Tumenggung, stated in the "Volksraad" (People's Council) that it was precisely the institution of the matrilineal family with which the welfare of the Minangkabau was indissolubly linked up.⁸⁷

All this, of course, could not check the process of distintegration of the matrilineal extended family nor did it affect the tendency to form nuclear families organized along the lines of the father-right with property passing from the father to the children. The bond between father and children grew stronger, while the bond with kinsfolk through the mother's line weakened. "Any attempt to make the (Mi-

⁸⁵ J. Prins, o.c., p. 46—47.

⁸⁶ Ibidem, p. 47.

⁸⁷ Ibidem, p. 48. See also "Handelingen v. d. Volksraad", 1936—1937, p. 168; "Persoverzicht", 1939 XV, p. 279—280.

nangkabau J. M.) society revert to the old state of affairs is doomed to failure from the very beginning", Schrieke wrote in 1928.⁸⁸

In the years 1940—1950 the development of family and marriage law in Minangkabau steadily followed the same course, somewhat slowing down in the period of Japanese occupation, somewhat speeding up in the subsequent years of the national war against Dutch aggression. Hence Prins is wrong when he writes that in 25 years — from 1928 till 1953 — "the communities in the inner districts of Minangkabau do not show any significant change in the legal life and the sense of justice of their members".⁸⁹ Towards 1950, according to the materials gathered by de Josselin de Jong, it had become the fixed rule, even in the inner districts, that the children inherited at least half their father's property.⁹⁰ In an Indonesian source of 1952 it is noted that the bond uniting father and children is steadily growing stronger and becoming the mainstay of family life.⁹¹

Summarizing our analysis of the development of family and marriage relations among the Minangkabau in the Padang Highlands and adjacent areas we reach the following conclusions:

1 The matrilineal extended family ceases to be the principal socio-economic unit of Minangkabau society and breaks up into small patrilineal families.

2 The property of the *parui'* (*harto pusako*), in consequence of mortgaging and selling, passes into the hands of private persons, which undermines the economic foundations of the *parui'*.

3 The chiefs from being administrators and guardians of the property the *parui'* become its individual managers, appropriating a considerable part of it.

4 The traditional rules of exogamy are disappearing, applying at the present time only to the nearest relatives within the *parui'*, with the tendency of further reduction in the number of people involved.

5 The house for one nuclear family becomes the main type of dwelling; *adat* houses become deserted and fall into disrepair.

6 The father's heirs are his children, while the sister's children's share in the inheritance of their uncle is getting smaller and smaller.

7 The *nagari* ceases to be exogamous; women obtain the right to leave their village.

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⁸⁸ B. Schrieke, o.c., p. 142.

⁸⁹ J. Prins, o.c., p. 41.

⁹⁰ P. E. de Josselin de Jong, o.c., p. 57.

⁹¹ *Hukum*, 1952 part I, p. 26—30; part IV, p. 16—20.