

## **CHAPTER II**

### **OVERVIEW**

#### **2.1 Kadilangu Land**

The history of the Land of Kadilangu was not born from a simple process. The literature notes that the role of Sunan Kalijaga had a significant contribution to Demak's victory over Majapahit's position during the transition of power in Java. This event is not only a meaning of political victory, but also a symbol of the success, ideals, and da'wah of the Wali Songo, especially Raden Patah's future vision in building the Islamic government order.

However, time changed everything into a very complex problem after the colonial era until the independence of the Republic of Indonesia. Because, internal conflicts between heirs with the involvement of the government, both regional and central, in order to interfere in affairs without knowing the cause, make the problem must be understood through its historical roots first. For this reason, related details will systematically explain the origin of the development of Kadilangu Land

##### **2.1.1 Origin of Kadilangu Land**

The discussion of the Land of Kadilangu cannot be separated from the context of the victory of the Demak Sultanate over the rest of Majapahit. History records that after the second phase of the war between Demak and Kediri in 1481, it was interpreted as a definitive victory. Although previously in 1478 it had suffered defeat.

And it is on the basis of these events that two main versions of historical references have now emerged. Namely between the Cirebon Chronicle from the

Sulendraningrat news, as well as the Records of the Government of the Dutch East Indies. Through these 2 data, then the history of Kadilangu developed into listed references.

#### **2.1.1.1 Kadilangu Based on the Cirebon Chronicle (Sulendraningrat News)**

Starting from a historical study in the narrative of the Cirebon Chronicle version of the Sulendraningrat news, this history book tells an important moment about the victory of the Demak Sultanate in an effort to conquer the Kediri Kingdom. Post-war, this great success prompted the birth of an important proposal from a prominent expert, namely Sunan Gunung Jati—one of the key members of Wali Songo.

The literature states emphatically, that every individual who has made a full contribution and great service in winning the Demak War, must be given reciprocal awards. The forms are also very diverse. Including property, promotion, position, position, honorary title, and land grants. It was through this proposal that the land of Kadilangu emerged, which Sunan Kalijaga contributed to the struggle. His main role was engraved when he succeeded in Islamizing King Brawijaya V while in exile with a kinasih servant or personal advisor.

In addition, strong support for understanding the narrative is also in cross-reference, especially in the Sampokong Temple Chronicle which is relevant to the Suluk Wali Sana manuscript.

According to the interpretation of Javanese literary poets, the success of King Majapahit in embracing Islam occurred because of Sunan Kalijaga's ingenious offer. That is the proposal of an agreement on existing religion and

beliefs so as not to disturb them in the future—a strategy that succeeded in calming Brawijaya V's concerns.

More specifically, Sunan Kalijaga stated that the crown prince, Raden Patah, actually never intended to impose his will regarding his father's beliefs. In fact, the issue of the big war that often buzzes between children and fathers must be seen from another perspective. In addition, Raden Patah only wanted to reach a strategic agreement, namely *securing the protection of power under his father's authority* by making the understanding of Islam his foundation. On the other hand, Raden Patah also had high hopes that his father, Prabu Brawijaya V, would voluntarily embrace Islam.

The power and special access of Sunan Kalijaga to be able to easily meet Prabu Brawijaya V can be understood through the composition of Wali Wulu (Eight Guardians). The core group of spreaders of Islam in Java consisted of important figures: Sunan Ampel, Sunan Majagung, Sunan Gunung Jati, Sunan Ngudung, Sunan Giri, Sunan Makdum Ibrahim, Sunan Drajat, and Sunan Kalijaga himself who was known as Wali Pamengkas (Wali Peng).

Among all figures, Sunan Kalijaga has the advantage of cultural communication because he is the only one who still has a Javanese lineage, a native of Tuban. This status is different from other Wali whose majority are immigrants or descendants of Arab-Palestinian lines. This kinship and cultural background gave him a unique connection and facilitated dialogue with King Brawijaya V, thus making Kalijaga a key figure of trust to complete the sensitive mission of Islamization of the Majapahit king.

Reaching the climax of cultural diplomacy, Maharaja Majapahit finally made a monumental decision: he agreed to convert to Islam. This decision was unfortunately not followed by the king's counselor or kinasih's servant, named Sabdo Palon. His statement firmly refused to join the new faith. Nevertheless, Prabu Brawijaya V continued to carry out his promise and died in his exile, immediately after saying two sentences of the holy creed, guided directly by Sunan Kalijuga. This moment marked the end of the Majapahit era and the end of history for the king. **As a final form of respect, the king's body was then brought—or brought—by Sunan Kalijaga** from his exile.

Now, the tomb of Prabu Brawijaya V can be found in Demak Regency and is known as Darmakusuma (King Amarta). The transfer of the body is an act that shows great respect from Demak, especially from Sunan Kalijaga, to the former ruler of Java. Therefore, departing from this series of historical events, the legitimacy of the Kadilangu land grant to Sunan Kalijaga became stronger and undeniable.

This retribution is a double award: not only because of Sunan Kalijaga's great service in winning the Demak War, which became the main legal basis, but also as a recognition of his heroic and cutting-edge cultural actions. This noble act was the success of guiding the Maharaja of Majapahit, Prabu Brawijaya V, to pronounce the creed and die in an Islamic state.

Thus, the land of Kadilangu stands as an eternal symbol of the combination of the success of the war and the excellence of Sunan Kalijaga's spiritual diplomacy in the early history of the Demak Sultanate.

### **2.1.1.2 Kadilangu Based on the Records of the Dutch East Indies Government**

In contrast to the Records of the Government of the East Indies – the Netherlands, the question of the origin of the Kadilangu land arose due to the consequences of the construction of the Great Mosque of Demak. In colonial government literature, R. Joko Sahid who was titled wali Sunan Kalijaga was the founder (*Stichter*) of the Customary Law Society. He has given many darma servti and services to the community and the Demak Government.

This has started since the beginning of the struggle to uphold the teachings of Islam. In addition, the evidence of the establishment of the Great Mosque of Demak is also the result of the best work of the wali to the point that the Sultan of Demak, Raden Patah, was so amazed. So to repay everything, the Sultan decided to give a gift in the form of a large bushland but not far from the center of the Kingdom. The land is known as Kadilangu. This evidence was recorded by the Semarang Resident's report contained in a letter to G.G. the Dutch East Indies. Here are the contents:

*“Als blijk van erkentelijkheid voor zijne, bewezene diensten beloonde R. Patah den Wali Joko Said met land, die hij maar voor het kiezen had en dat hem en zijne nazaten dan ten eeuwige dage zou toebehooren. Zijne keus viel op een eigenaardig riekende geur wat inlanders noemen: “Langu”. Aan die gronden werd alstoen ten gevolge dien eigenaardige verschijnselen, den naam gegeven van “Kadilangu”. Joko Said vestigde zich op dat land en begon het te ontginnen. Dit ging met zoo veel oordeel gepaard, dat er weldra vruchtbare akkers uit verrezen en 27 kampongs en gemeenten ontstonden”.*

Translation:

"As a sign of gratitude for the services that have been given, R. Patah gifted Wali Joko Said the land, which was up to him to choose, which can be owned and inherited to his descendants for all time/forever.

The choice fell on an area of land that stretched not so far from Demak, a forest land in the lowlands with dwarf forest plants that smelled very strong, kadi, the same as those called by the indigenous people of Langu. The land, because it shows strange symptoms, is named Kadilangu."

In addition to the evidence of the report letter above about the origin of the Kadilangu land, there is also an attachment of support from the Resident of Semarang stating the personal matter of Sunan Kalijaga. This was so recognized by the Dutch East Indies G.G that he was so amazed and respected the figure of Sunan Kalijaga himself. Regarding the content, it will be elaborated as follows:

*".....volgens overlevering was Sunan Kalijogo bij groot en klein zeer gezein om zijne buitengewone intellectueele ontwikkeling en groote schranderheid, waarbij gepaard ging eene groote mate van zachtheid, voorkomendheid en hulpvaardigheid.*

*Deze hoedanigheden en eigenschappen maakten hem schier over geheel Midden Java vermaard en tot een vraagbaak van velen. ...."*

Translation:

"..... According to folklore, Sunan Kalijogo is very famous and appreciated by the people of the high class and the common people, because of his extraordinary level of intelligence and his very prominent intelligence and besides that he has a very high subtlety of mind, self-knowing, does not highlight his personality and is ready to help others.

These qualities and qualities made him famous kaonang-onang (very famous) throughout Central Java and made him a place to find solutions to problems for many people. ...."

Thus, through the 2 letters that have been described, it can be standardized that Sunan Kalijaga was a founder of the Kadilangu area with its villages, rice fields and fields, as well as all customs that became the law of the community. And related to the sustainability of the existence of Kadilangu later, it

will be inherited by all children and grandchildren as the successor of the guardian's business in the future.

This recognition is also accepted by the public considering that the figure of Sunan Kalijaga himself has the character of *waskito* (knowing what will happen), has miracles, is good in *da'wah* rhetoric because he is able to sweep his listeners, a prominent idealist who is able to realize his ideas and provide benefits, is virtuous, has a directed disposition, and has extensive and critical experience.

## **2.1.2 Kadilangu Land in the Dutch East Indies Colonial Era**

### **2.1.2.1 Kadilangu Land Landscape Through the Notice of Semarang Resident Letter No. 11338/I dated September 22, 1880**

During the occupation of the Dutch East Indies colonial government around 1816, the area of Kadilangu land used to cover 27 villages. However, the land was partly taken by the British government temporarily. As a result, there was compensation in the form of payment of funds in the amount of 133.75 f every month without a certain time limit. The effect of this situation makes the rest of Kadilangu land only covers 10 villages. Among others, Kauman Kadilangu, Pampang Kadilangu, Pacol, Mandungan, Dakwos, Dukuh, Jraganan, Kahiringan, Krandon, and Kenep with a combined area of 520 shouldered or 364 ha. However, related to the management of the entire land area, it turned out that it was not able to meet the needs to meet the income of the ruler of Kadilangu, and his family. Then around 1843, the chief ruler of Kadilangu at that time, Prince Widjil V, asked the colonial government to add more land to his power. Through this matter, it was decided that the village of Kemloko and all rice fields in

Kawedanan Manggar were additional. So that the total land becomes 615 shoulders or 430.5 ha. So, for the total Kadilangu land from the addition, it has an area of 794.5 ha.

#### **2.1.2.2 Chronicle of Semarang Resident Policy; The Repurchase of Kadilangu Land**

Continuing after the death of Prince Widjil V in 1880, the Resident of Semarang unexpectedly took advantage of the momentum to withdraw the village of Kemloko from the Kadilangu area. Through the sending of a letter to the Governor General of the Dutch East Indies in *Buitenzorg* (Bogor) about the news of the death of the head of Kadilangu, the main content of the matter was explained: that the Kadilangu area should only be left in the village of Kauman, where there is the tomb of Sunan Kalijaga. Because related to the status of Kadilangu it looks like a small country within a country. And for the future of the determination of rights and powers, as there will be the appointment of a new head of ruler, the land of Kadilangu will get the status of a perdikan village. Through the basis of this decision, in the end the peace of Kadilangu at that time began to be disturbed.

#### **2.1.2.3 Appointment of the Head of the Kadilangu Family, Raden Ngabei Notobronto**

To secure the condition of Kadilangu so that in the future there would be no rebellion against the policy of the Semarang Resident who previously aimed to erode the Kadilangu Land into a small village, then through the Decree of the

Governor General of the Dutch East Indies No.16, dated *Buitenzorg* 5 May 1883, Raden Ngabei Notobronto was appointed as the head of the new 12th Kadilangu.

After that, Rng. Notobronto had a desire to build a new house, the frame of which had to be teak wood and brought from Gesing Purwodadi.

From that incident, a will emerged that all children and sons-in-law were prohibited from selling the house. Not only that, Rng. Notobronto also raised the attachment of the Semarang Resident Letter dated December 22, 1880 No. 11338/I regarding the origin of the Kadilangu land and brought up the figure of Sunan Kalijaga. Regarding the matter, he said that the controversial decision of the Semarang Resident to the Dutch East Indies G.G in *Buitenzord* (Bogor) should be corrected immediately. Because otherwise, the running of Kadilangu will be runyam and difficult to peace.

#### **2.1.2.4 Review of the Semarang Resident Policy to the Dutch East Indies G.G. in Buitenzord (Bogor) on the Status of Kadilangu Land**

In the Letter of the Governor General of the Dutch East Indies No.16, dated May 5, 1883 after the appointment of Raden Ngabei Notobronto as the Head of Kadilangu, considerations about inclusion are quoted according to article 2 paragraph 6 of *Decree No. 60, dated October 27, 1866*. The content states that the lands of Kadilangu can be used by Prince Widjil and his descendants. This is in accordance with the proclamation of Governor General Sloet van den Beele which has been listed as a State Gazette (*Staatsblad*) S.1866-1880.

About the proclamation it contains: "*The King of the Netherlands gives assurances to the indigenous people in Java, that their rights to land will be*

*respected and will be strictly guarded so that they are not violated by other parties".* In addition, the basis of the decree dated October 27, 1866 has also become a permanent policy related to the lands belonging to the Kadilangu Head area, and can be decomposed and declared based.

By going through some of the above legal decrees, in the end the Kadilangu land was remeasured to determine the boundaries so that they could be remapped. This has the power of the Decree of the Governor General of the Dutch East Indies No.15, dated April 28, 1885 *Buitenzorg*. That for the new Kadilangu area, it includes 11 villages. Namely Kemloko, Dakwos, Pampang Kadilangu, Pacol, Mandungan, Kauman Kadilangu, Krandon, Dukuh, Kahiringan, Jraganan, Kenep, and have a total span of 1378 shoulders and 114 rods. However, it is still subject to land tax. The determination of the tax occurred because at that time Kadilangu did not have an official status as a perdikan village.

Furthermore, in 1912 (27 years later) a new regulation was issued on indigenous village government or commonly called IGO (*Inlandse Gemeente Ordonnantie*) S. 1906-1983. This occurred due to the existence of the basis of a decree of the Dutch East Indies government, namely "*Gouvernements Besluit No.25, dated December 20, 1912; Attachment No.7848*". Contains about: Kadilangu land is given the status of a perdikan village and is exempt from land tax, income tax, and livestock slaughter tax for permanent residents of Kadilangu.

However, on 25 January 1915, there was another decree, *Gouvernements Besluit No.10*, which stated that the village of Kadilangu was to be taken back for compensation of 13,105 f - annually.

So that Kadilangu village is only left of Kadilangu Kauman, after the British/Dutch colonial government took 26 villages, which previously totaled 27 villages along with agricultural lands.

### **2.1.3 Status of Kadilangu Land After the Independence of the Republic of Indonesia**

#### **2.1.3.1 Kadilangu Land at the Beginning of the Transition of Power of the Unitary State of the Republic of Indonesia (NKRI)**

After the change of power from the Dutch East Indies Government to Japan in 1942, for approximately three years the status of Kadilangu Land did not show significant changes. Furthermore, a major milestone began to appear on August 17, 1945, when Sukarno and Hatta proclaimed the independence of the Republic of Indonesia, which officially broke away from the colonial power of the Netherlands and Japan. Through this event, finally the highest legal provision was issued which is now known as the Constitution (1945 Constitution). Based on the provisions, it is stated that the entire former Dutch colonial territory will automatically become an integral part of the Unitary State of the Republic of Indonesia.

On the other hand, there is an important connection with the transitional regulations of the 1945 Constitution, which explicitly states that all existing state bodies and regulations are still in effect as long as new ones are not held according to the Constitution. Therefore, referring to the provisions of Kadilangu status in the early days of independence remained the same as in the Dutch East

Indies era. It remains as a perdikan village whose control is still under the Head of Kadilangu.

### **2.1.3.2 Issuance of Basic Agrarian Regulations in Regulating State Land**

Continuing one year after the proclamation, precisely on September 4, 1946, the Government of the Republic of Indonesia took the first step by issuing Law Number 13 of 1946 which sought to abolish the status of perdikan villages in general. However, juridical facts show that the status of Kadilangu Land at that time was still in the status quo condition and had not undergone any changes. This happens because the law does not have adequate regulations or implementing provisions, so that implementation in the field is still pending. As a result, administratively, Kadilangu continued to be recognized as a perdikan village whose control was still in the hands of the Kadilangu Chief, reflecting the de facto continuation of the conditions in the Dutch East Indies period, even though de jure colonial rule had ended. Historical data also reinforces that this condition of legal uncertainty lasts for almost two decades.

Furthermore, the turning point that ended the uncertainty of land law in Indonesia only arrived in 1960, along with the issuance of the Basic Agrarian Law (UUPA) Number 5. This decree served as a revolutionary legal umbrella that unifies and regulates all land issues in Indonesian territory, replacing the colonial agrarian legal system. Armed with a strong legal basis from the UUPA, two years later there was the execution of the policy. In 1962, through the Minister of PUOD (General Government and Regional Autonomy), the State took concrete steps. Regulation Number 12 of 1962, officially gave the task of implementation

to the relevant agencies to remove the entire status of Perdikan villages, including Kadilangu, which was previously under the control of the Dutch East Indies colonial government. Since the issuance of this regulation, all land policies in Indonesia, both legally and administratively, have been required to be based entirely on the provisions of the UUPA, as well as marking the end of the status of Kadilangu.

### **2.1.3.3 Multiinterpretation of the Status of Kadilangu Land by the Government of the Unitary State of the Republic of Indonesia**

Although the Government of the Republic of Indonesia has gradually issued a series of fundamental post-independence regulations—which include Law No. 13 of 1946, UUPA No. 5 of 1960, to Ministerial Regulation of PUOD No. 12 of 1962 which aims to abolish the status of Perdilangu villages—the facts on the ground show that the existence and legal status of Kadilangu Land remains an isolated and unresolved issue. This situation is inseparable from the high historical value and strength of authentic evidence stored in the documents of the Dutch East Indies government regarding the origin of the land. These documents record in detail the history of granting Kadilangu land rights in return, thus making them different from ordinary colonial land disputes. This historical heritage became a strong foundation for the Heirs of Sunan Kalijaga to defend their claims.

Such historical value and authentic evidence ultimately have a direct impact on the emergence of protracted disputes. There is a difference of view between the implementation of the laws and regulations of the Republic of

Indonesia and the claims submitted by the Heirs of Sunan Kalijaga in Kadilangu. This agrarian conflict is recorded to have been rolling for 35 years, starting from 1951. The length of the duration of this dispute shows that there is an administrative impasse at the regional level. This condition reached a turning point on August 2, 1986. Official data shows that on that date the Governor of KDH Level I of Central Java Province issued Letter Number 759/23047 addressed to the Head of the Directorate of Agrarian Affairs of Central Java Province. The letter became a crucial document because it explicitly stated that "the issue of land status in the area of the former Kadilangu village whose elimination is regulated in the Ministerial Regulation of PUOD No. 12 of 1962 has not been fully implemented."

The official decree of the Governor of Central Java in 1986 – which acknowledged the unresolved status issue – then triggered an active movement from the Heirs. In response to this administrative recognition, a Land Team consisting of Sunan Kalijaga's descendants was immediately formed. This team consists of Heirs who are domiciled both within the Kadilangu area and outside the area. The formation of this team is a strategic initiative that aims to take over and organize the entire management process of the Kadilangu Land, while ensuring that the historical heritage receives clear recognition and legal protection in the eyes of the Unitary State of the Republic of Indonesia.

#### **2.1.3.4 Documentation of Kadilangu Land Status by Kadilangu Land Team**

Quoting based on the historical records of the Kadilangu Land Team, the settlement of administrative problems and land claims turned out to be a very

political and technical problem. The management process takes up to five years, as the completion involves many high-ranking State officials. Therefore, the Land Team at that time was directed by the Ministry of Home Affairs Sub-Directorate of Agrarian Affairs to ask for official legal views related to Land/Agrarian matters from experts. Then after that, through the consultation process of land experts, a strong basis was created to re-examine the documents of the Dutch East Indies Government as a correction and solution to the protracted land problem. The legal data used as the main reference includes:

1. Semarang Resident Letter Number 11338/I dated September 22, 1880.
2. Decree of the Governor General of the Dutch East Indies No. 16 dated May 5, 1883.
3. Decree of the Governor General of the Dutch East Indies Number 15 dated April 28, 1885.

Through a comprehensive consideration of all these documents, finally on February 25, 1996, the status of Kadilangu Land received approval from the Ministry of Home Affairs to be designated as joint property of the Heirs of Sunan Kalijaga. This determination can be realized because Kadilangu Land can be referred to as equivalent to the concept of tribal land in West Sumatra, which has the power of *Kracht van Gewijsde*. In short, in a nutshell, this term means that its existence has been recognized based on the facts and provisions of the applicable law. The essence of this status determination is also supported by four main facts, namely:

1. Kadilangu land has long been the joint property of the heirs;

2. There are associations that function as the authority of family associations within the legal framework;
3. The existence of the Head of Kadilangu as the ruler and ruler of the land; and most importantly
4. Official recognition from the entire extended family of Sunan Kalijaga's heirs. As an implication of this decision, Kadilangu Land was designated as joint property with an area of approximately 166.4320 hectares.

The purpose of its future allocation is for preservation, and the ownership status is changed to waqf land.