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Courtrooms of conflict. Criminal law, local elites and legal pluralities in colonial Java

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Citation

Ravensbergen, S. (2018, February 27). *Courtrooms of conflict. Criminal law, local elites and legal pluralities in colonial Java*. Retrieved from <https://hdl.handle.net/1887/61039>

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Author: Ravensbergen, S.

Title: Courtrooms of conflict. Criminal law, local elites and legal pluralities in colonial Java

Issue Date: 2018-02-27

Courtrooms of Conflict

Cover design: Mahmood Kooria

Printed by: ProefschriftMaken || www.proefschriftmaken.nl

Cover image: Landraad Pati. Woodbury & Page, ca. 1865. Left to right: Chief Jaksa Mas Ngabehi Merto Poero (standing), Chinese Captain Oei Hotam, Regent Adhipati Ario Tjandro Adhi Negoro, Resident H.E. de Vogel, Registrar D.J. ten Zeldam Ganswijk. [KITLV No. 3516]

Courtrooms of Conflict

Criminal Law, Local Elites and Legal Pluralities in Colonial Java.

Proefschrift

ter verkrijging van
de graad van Doctor aan de Universiteit Leiden,
op gezag van Rector Magnificus prof.mr. C.J.J.M. Stolker,
volgens besluit van het College voor Promoties
te verdedigen op dinsdag 27 februari 2018
klokke 16.15 uur

door

Sanne Ravensbergen
geboren te Leiden
in 1985

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This PhD thesis is financed by the Netherlands Organisation for Scientific
Research (NWO), project number 322-52-004.

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Acknowledgments

I always knew I wanted to write, but I could have never imagined or dared to pursue—let alone complete—a PhD, were it not for the encouragement and invaluable support of so many others. Teachers and mentors in different contexts and stages have inspired me to become a historian of colonial Indonesia, with a special mention for Florine Koning, Amrit Dev Kaur Khalsa, Wim van den Doel, Adriaan Bedner, who generously invited and introduced me to the world of law, and, most of all, Alicia Schrikker.

As it turned out, writing a dissertation is more than an intellectual journey, bringing exciting and meaningful encounters, conversation and travel with old and new friends. Collaborating with Mahmood Kooria was truly inspiring, and Jacqueline Stam's groove led to many memorable moments. I could not have wished for two better *paranimfs*.

Deciphering sources in the Indonesian archives was made pleasant in the company of fellow historians, comrades digging through the piles. In particular Esther Zwinkels and Ariel Lopez leave me with fond memories of Jakarta, even if these involve endless traffic jams. I thank Sulistyowati Irianto for inviting me to Jakarta, the staff of the *Arsip Nasional Republik Indonesia* for their assistance, and Nadia Fauziah Dwiandari for locating a number of judicial sources. Charles Jeurgens gave me valuable advice about the archives and Tom van den Berge generously shared his notes on the archive of Karel Frederik Holle. I am also grateful for the conversations with Leonard Blussé, Martijn Eickhoff, Bart Luttikhuis and Remco Raben when my research was still in an early stage. Outside of the archives it was Jasmine Haroen who gave me an excellent introduction to Jakartan malls and other features of Indonesian social life. In Semarang, Tri Handayani made me feel very welcome, as did Syafrizal Nazaruddin in Medan.

In the Netherlands, I was lucky to be adopted by the extended Cosmopolis family and to meet many other kind and wise minds at the Institute for History in Leiden, among whom are Lennart Bes, Anita van Dissel, Christiaan Engberts, Farabi Fakihi, Jos Gommans, Sander Lugtenburg, Maarten Manse, Anne-Isabelle Richards, Liesbeth Rosen Jacobson, Bart van der Steen, Carolien Stolte, Anne van der Veer, Adriaan van Veldhuizen, Abdul Wahid, Xiadong Xu and Suze Zijlstra. I thank Tristan Mostert and Byapti Sur for lots of coffee and cheerful chatting, and

Marijke van Wissen-van Staden for her invaluable assistance in organising the Ocean of Law conferences and being the soul of the office.

This dissertation has greatly benefited from the critical input and engagement of many others as well. Peter Meel and Patricia Tjiook-Liem gave important feedback to my research proposal at an early stage. I thoroughly enjoyed discussions at the Colonial Law Talks, the Van Vollenhoven Institute, the summer school Sites of Knowledge at Heidelberg University and the Ocean of Law Conferences. Keebet von Benda-Beckmann, Marieke Bloembergen, Maaïke Derksen, Manon van der Heijden, Gerhard de Kok, Jan Michiel Otto, Klaas Stutje, Fenneke Sysling and Nurfadzilah Yahaya gave valuable comments at conferences and workshops where I presented my work in progress.

I thank Kirsten Kamphuis, Bastiaan Nugteren and Sander Tetteroo for providing assistance with archival material and Ligia Judith Giay for solving some mysteries in Indonesian sources. The staff of the National Archives and the Indisch Familiearchief in The Hague were very helpful, and Liesbeth Ouwehand enthusiastically showed me the original landraad photos from the KITLV collection, Thijs Weststrate translated parts of Augusta de Wit's novel *De Godin die Wacht*, and Lincoln Paine corrected my English.

Someone who works on colonial criminal law and its contested past does not always make for a light-hearted conversation. I thank oma Wil for nonetheless offering me a writing space under a strict coffee-and-cookies regime, and my friends for patiently listening to and happily distracting me from my research ponderings. I cherish all thoughtful questions from Liek, witty remarks by Rian, wise words from Patries, *bakkies* with Boy, and the support of Ac, Ilse, Marije, Marleen, Mar, Plien, Sandra, Sun, and, of course, Wendel, Janny, Ernst and Maarten. I owe great debt to my family, who are always supportive and patient, even when I am not. I thank my mother, Herma, for giving me an incredibly warm home, my father, Cees, for teaching me how to work hard and travel far, and Aukje for being my sister and my best friend. I thank Jatin for barging into my life and making it sweet and adventurous.

This dissertation is dedicated to my late opa Ger ter Horst, who kindled my interest in colonial history and was a great source of inspiration in being *eigenwijs*.

Glossary

<i>acte van beschuldiging</i>	legal document; indictment
<i>acte van verwijzing</i>	legal document; the decision (of a judge) to refer a case to a certain law court
<i>adat</i>	custom(s)
<i>Adipati</i>	high priyayi title
<i>agama</i>	religion
<i>anachodas</i>	Chinese traders
<i>Ario</i>	high priyayi title
<i>bupati</i>	regent; regional representative of the ruler (Mataram); in colonial Java the highest regional Javanese administrative official.
<i>controleur</i>	European district administrator (official below assistant resident)
<i>demang</i>	local Javanese administrative official; official directly above the village chief; in the Ommelanden district chief.
<i>drost</i>	Dutch overseer and sheriff in a (countryside) region
<i>gouvernementslanden</i>	government lands, the directly ruled (dual rule) regencies of Java.
<i>haji</i>	pilgrim to Mecca; muslim who had made the pilgrimage to Mecca, also used as an honorific.
<i>jaksa</i>	Javanese judge; Javanese public prosecutor.
<i>kabupaten</i>	regent's residence, or regency
<i>Kandjeng</i>	high priyayi title
<i>kebaya</i>	Indonesian garment; blouse-dress combination
<i>keterangan</i>	solution, solved case
<i>kraton</i>	palace, residence of the ruler
<i>kris</i>	Javanese sword
<i>kyai</i>	Islamic teachers not in service of the colonial government; respected man of Islamic learning
<i>kyai fakih</i>	Islamic judge in pre-colonial sultanate Banten
<i>landdrost</i>	Dutch representative of the colonial government in a (countryside) region
<i>magang</i>	apprentice, unpaid clerk

<i>mantri</i>	low level Javanese official with specific function (f.e. <i>mantri polisi</i> is a police official)
<i>Mas</i>	lower priyayi title
<i>madhhab</i>	school of law
<i>mandoor</i>	overseer, (police) assistant
<i>ngabehi</i>	local chief, often equivalent to regent
<i>Ommelanden</i>	Environs of Batavia
<i>ondercollecteur</i>	local tax collector in service of colonial government (priyayi rank)
<i>padu</i>	Javanese laws
<i>pamong praja</i>	civil service in Java after 1942
<i>Pangeran</i>	high priyayi title; usually of regent
<i>pantjaniti</i>	paseban; courtyard of a Javanese ruler
<i>paseban</i>	courtyard of the regent or wedono
<i>patih</i>	high administrator of a Javanese kingdoms, during the nineteenth century the regent's right hand man (chief minister of regent or ruler, in dutch: <i>rijksbestuurder</i>).
<i>penghulu</i>	high Javanese-Islamic official and Islamic judge in the religious law court.
<i>pesantren</i>	Islamic school
<i>pradata</i>	Royal or Indian law
<i>praktizijn</i>	attorney
<i>prajurits</i>	armed men, troops of the regent.
<i>prefect</i>	title for resident under Daendels' government
<i>procès verbal</i>	legal document; written report of proceedings
<i>Raden</i>	high priyayi title
<i>Raden Adjeng</i>	aristocratic title for unmarried Javanese girl
<i>Raden Aju</i>	wife of regent or aristocrat
<i>radikaal</i>	certificate necessary for colonial government positions
<i>regent</i>	bupati; Regional representative of the ruler (Mataram); in colonial Java the highest regional Javanese administrative official.
<i>revisie</i>	review by the colonial Supreme Court in Batavia

<i>rijksbestuurder</i>	Javanese chief minister of a region where no regent was appointed
<i>sembah</i>	formal greeting to a higher-ranked person
<i>Sunan</i>	Susuhunan; ruler of Surakarta (Solo)
<i>surambi</i> courts	Islamic courts in Mataram (at the front porch of the mosque)
<i>Susuhunan</i>	Sunan; ruler of Surakarta (Solo)
<i>tandak</i>	dancing; dancing party
<i>Tumenggung</i>	prince; Colonial state: title for prominent priyayi; title, usually of regent
<i>ulama</i>	religious teacher and scholar
<i>Vorstenlanden</i>	princely lands, the indirectly ruled states of Central Java
<i>wedono</i>	district chief, Javanese administrative official in charge of district under the supervision of the regent and patih.
<i>wong cilik</i>	little people, the common man

Note on spelling: I added –s to certain Indonesian and Dutch words in the plural (f.e. penghulus, jaksas, regents, residents) to aid readers unfamiliar with the Indonesian and/or Dutch language. I made an exception for the word *priyayi*—which can refer both to the singular, and plural or the Javanese nobility class in general—as these distinctions are clearly marked in the text. Another exception is the law court central to this dissertation, the *landraad*, which is written according to Dutch spelling, the plural being *landraden*. Modern Indonesian spelling is used for Javanese and Malay words and place names, except for Jakarta which in the nineteenth century consisted of Batavia and Ommelanden (environs), each judicially organised in a different manner. Personal names are written as noted by the nineteenth-century Dutch clerk, or as mentioned in the *Almanac of the Netherlands Indies*, because the correct modern Indonesian (or Arabic) spelling cannot be reconstructed in all cases. The term ‘Javanese’ is used to refer to the local population of the island Java. The distinction between Sundanese, Javanese and Madurese is only made if this was explicitly mentioned in the sources.

Abbreviations and Archival Referents

AS	Algemene Secretarie. ANRI.
ANRI	National archives of Indonesia; Arsip Nasional Republik Indonesia, Jakarta
Bt.	Besluit. AS, ANRI.
GB	Grote Bundel. ANRI.
MR	Mailrapport. MvK, NI-HaNa.
IB	Indisch Besluit. MvK, NI-HaNa.
IZ	Inlandsche Zaken. ANRI.
IR	Native Regulations 1848; “Reglement op de Uitoefening der politie, de burgerlijke rechtspleging en de strafvordering on de Inlanders en de daarmede gelijkgestelde personen op Java en Madura” (<i>Inlandsch Reglement</i>).
KV	Colonial Report; <i>Koloniaal Verslag</i> .
MvK	Archive of the Dutch Ministry of Colonial Affairs; Ministerie van Koloniën. NI-HaNa.
NI-HaNa	Dutch national archives; Nationaal Archief, The Hague
PR	Provisional Regulations 1819; “Een reglement op de civiele en criminele regtsvordering onder den inlander.”
RO	Court Regulations 1847; “Reglement op de Regterlijke Organisatie en het beleid der justitie in Nederlandsch Indië.”
RR	Colonial Constitution 1854; “Reglement op het Beleid der Regering van Nederlandsch Indie van 1854” (<i>Regeringsreglement</i>).
S	Staatsblad; Dutch bulletin of Acts and Decrees.
Vb.	Verbaal. MvK, NI-HaNa

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