Understanding the Movement of Suku Anak Dalam Bathin Sembilan Against Land Conflict with PT. Asiatic Persada in Jambi Through Social Movement Theory

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Abstract

The land conflict between Suku Anak Dalam Bathin Sembilan and PT. Asiatic Persada had occurred since 1987. This conflict occurred because of PT. Asiatic Persada has occupied 3.550 hectares of Suku Anak Dalam Bathin Sembilan’s land. This paper will analyze how the movement of Suku Anak Dalam Bathin Sembilan who lived in Bungku Village, Batanghari, Jambi to struggle their land. This study uses the social movement theory that explains three phases of movements, such as the interest phase, the protest phase, and perspective phase. The author uses a qualitative method and the data are taken from interviews and literature study. This study found that the beginning movement of Suku Anak Dalam Bathin Sembilan was very intense with the support of local and international Non-Governmental organizations, then the movement built a sustainable strategy in the protest phase. Unfortunately, that strong movement has split into two in the perspective phase.

Keywords: Land Conflict; Social Movement Theory; Suku Anak Dalam Bathin Sembilan; PT. Asiatic Persada.

Abstrak


Kata Kunci: Konflik Lahan; Teori Pergerakan Sosial; Suku Anak Dalam Bathin Sembilan; PT. Asiatic Persada

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A. Introduction

Land conflict Suku Anak Dalam Bathin Sembilan (SAD) with PT. Asiatic Persada was started since 1987. Based on the archive of Agency for National Unity and Politics Batanghari District explaining that the Head of Agency for Inventory and Forest of Indonesia gave the issuance of oil palm plantation concession to PT. Asiatic Persada on July 11, 1987. PT. Asiatic Persada was included 3,550 hectares of SAD land on the Cultivation Rights (Indonesian: Hak Guna Usaha), but SAD did not know about the cultivation rights. In the New Order era (Suharto Era), hundreds of SAD Bathin Sembilan out of their homes forcedly. Land grabs are the beginning of land conflict of SAD with PT. Asiatic Persada (Santoso, 2016).

Initially PT. Asiatic Persada named PT. Bangun Desa Utama. PT. Asiatic Persada itself is the company that often change its ownership. From 2001 to 2006 the company was controlled by the British CDC Pacrim Company, then in 2006 to 2007 was controlled by Cargill from America, and in 2008 to 2012 controlled by Singapore based on Wilmar Group, but at the beginning of 2013, PT Asiatic Persada controlled by PT. AMS Double Group. PT. Asiatic Persada itself is incorporated in the RSPO (Roundtable on Sustainable Palm Oil) organization which obliges it to apply RSPO’s code of ethics, including its consequences if Asiatic is proven to be in violation (National Unity and Politics Batanghari District Archive, 2016). In fact, there are several local indigenous people except for SAD Bathin Sembilan that having a conflict with PT. Asiatic Persada. Conflict SAD with PT. Asiatic Persada is very difficult to find a solution because of legal issues over ownership of disputed land. They only have customary law, thus SAD does not have a land certificate or strong legal certificate. While PT. Asiatic Persada has the legal certificate (Zainuddin, 2015).

SAD that have discussed in this paper is in Bungku Village, Batanghari, Jambi, named Suku Anak Dalam Bathin Sembilan, that consists of nine Bathin who originate from the nine streams, they are: Batin Bulian, Batin Jebak, Batin Bahar, Batin Sekamis, Batin Jangga, Batin Singoaan, Batin Burung Antu, Batin Pemusiaran, dan Batin Telisak. They are all spreading in Batanghari, Muaro Jambi and Sarolangun regencies. The specific group who had a conflict with PT. Asiatic Persada was Bathin Bahar (Amiruddin, 2016).

The fall of Suharto in 1998 became the starting point of SAD to took their land rights. After a long time, they live with threatened by the expansion of foreign oil companies, they have an opportunity to demanding their rights. In this paper, the author will analyze the movement of SAD, how the process of movement of SAD Bathin Sembilan fought for their customary land rights, how the strategy they used, and this study will use schematization of the framework of the theory of social movement to analyzing the problem.

B. Framework Concept of Social Movement Theory

Hiller (Harry, 1975) is one of the social scientists who schemes the phases of a social movement, his journal “A Reconceptualization of the Dynamics of
Social Movement Development” has discussed how the phases of the social movement process take place. Hiller divides the dynamics of social movements into 3 (three) phases, such as interest phase, protest phase, and perspective phase. But Hiller emphasized that the phase or stage that he made was not an absolute or exclusive fashion.

1. Interest phase is a phase where there is anxiety between individuals (social unrest), then they are gathered and socialize each other the anxiety (socialization of restlessness). This is the first step towards a larger-scale movement. The similarity of taste and attraction to an issue makes individuals be united and collectively share the same views and aims, and they will form a social movement. At this stage, the collective emotions begin to grow. Values and goals in the movement are usually done through studies and discussion forums, face-to-face contact between individuals within the movement, thus it could strengthen the sustainability of the movement. Then the next stage is the protest phase, but before going to the protest phase, Hiller explains a transition in movement (or called Point A, see picture below) in which the movement is critical. The point is that when the united individuals have equalized the purpose and value of the movement, unfortunately, the changing is not visible, the purpose and the value that was built up eventually only a sterile goal causes the movement in a dying condition. To re-strengthened the movement, there was a situation that provoking the movement.

2. After the transition, the next phase is a protest phase in which a movement undergoes crystallization, meaning the movement continues its legitimacy by developing a tactical strategy. These tactical strategies are their way of protesting the status quo. The movement has begun to prepare for the participation and active role of individuals. Protest activities are carried out with high intensity through systematic and appropriate strategies and tactics, where conformity and loyalty to movement objectives have grown significantly. This protest action is the primary basis for social interaction in a movement. Then, the movement will experience a transition back (point B, see picture below), before entering the stage of perspective. In Point, B Hiller explained that the movement in an exhaustion condition because the changes never happened. Hiller warned when the movement in that situation, it will be potentially deadly. However, Hiller also explained that the media could become a “helper” in spreading the value and purpose of the movement to the wider community, thus support in and movement back strengthened. The protest phase was covered by media and influenced the movement’s support base for a wider and growing commitment.

3. After the transition, then the social movement enters a phase of perspective. The perspective phase is
the phase in which the value and purpose of the movement are sensitively touching to the public. In this phase, the movement will towards success or vice versa, because Hiller said that the protest phase seldom brings the movement to total victory or full achievement of goals. Then, the movement will be confronted with the reality of one of three alternative perspectives which describe the term continuation of a movement: Defensive, Reformulation, and Becalmed. **Defensive perspective** is a situation where a movement has succeeded in reaching a short-term goal but not a core goal. The movement survives with the success of the short-term goal but the movement will die (its urgency disappears), or continue to protest on the basis of the core purpose in addition to keeping the movement well-organized. **Reformulative perspective** occurs when the movement is able to achieve the goal but not intact, then the movement should reformulate its goals by finding new goals. This is intended to keep the movement on good sustainability. **Becalmed perspective** is when the movement is still active, unfortunately, the goal temporarily dimmed, then the movement is in a situation refers to becalmed.

Through the schematization of social movement dynamics above, then the process of development of a movement can be observed gradually and we are able to see what kind of changes occurred. Then, Hiller’s schematization can be applied to describe the process of the struggle of indigenous people Suku Anak Dalam Bathin Sembilan in Bungku Village, Batanghari, Jambi.

**C. Finding and Discussion**

**The Beginning of Suku Anak Dalam Bathin Sembilan’s Struggle: Interest Phase**

After President Suharto was no longer in power since 1998, the public began to speak out their voice and opinions, including indigenous people. SAD began to speak out their demands for their customary lands, also compensation for their lands (SETARA Reports, IPAC Reports, Colchester Reports). The fall of Suharto became the beginning of the growth of democratic principles, decentralization and the proliferation of civil
society organizations that encouraged the community to reaffirm their rights: “Awareness of SAD against PT. Asiatic Persada is starting to appear around 1999, in this moment their consciousness has emerged” (Zulhakim, 2016).

SAD Bathin Sembilan has a group name as their identity form for the ownership of 3,550 hectares of land in Cultivation Rights (Indonesian: Hak Guna Usaha) that called with 113 group SAD Bathin Bahar, who are living in Dusun Tanah Menang, Dusun Pinang Tinggi and Dusun Padang Salak in Bahar River. Beside SAD 113 group, there are SAD Mat Ukup and Kelompok Zainal/Sungai Beruang Group which are all sub-groups of the Suku Anak Dalam Bathin Sembilan (IPAC Reports No.9). These groups are struggling to restore sovereignty over their customary lands by PT. Asiatic Persada. These groups did not alone, they are assisted by various NGOs. In 2006, SAD 113 was affiliated with the National Peasant Union (Indonesian: Serikat Tani Nasional) to assist their movement against PT. Asiatic Persada (stn.or.id).

The inclusion of NGOs to help the movement of SAD Bathin Sembilan began around 2007. CAPPA Foundation itself began to accompany in 2012.

“...we accompany SAD in 2012. There is a family named Zainal Abidin, doing fruit harvest activity in the region of the company (PT. Asiatic Persada), the issue of this fruit thief is the reason why this hamlet in the dump, from that time we accompany them” (Zulhakim, 2016).

At the beginning of the conflict in 1986, SAD Bathin Sembilan had limitations to take up their customary lands. The situation at that time could not be separated from the oppressive political influence, as well as the support of NGOs become very passive at that time (Steinebach, 2013: 63-79). However, in the reform era (Indonesian: Era Reformasi), between the SAD Bathin Sembilan and the NGOs can be put together to struggle their goals.

As Hiller explain before, that the early phase of social movement is the interest phase, the union of the individual with the other initially separated individual (aggregation) in which the individuals have the same interests or ideas. They are spill out grievances and views, then become larger scale movement. The SAD 113 groups living in a different place, Dusun Tanah Menang, Dusun Pinang Tinggi and Dusun Padang Salak. But, they are united with the momentum of anxiety (social unrest) even though they live in different places, they cam raises collective awareness with the general goal of taking back their ancestral lands from PT. Asiatic Persada. The goal becomes an important basis for social interaction within a SAD movement.

Support from NGOs that focus on issues of indigenous and agricultural rights came from SETARA Jambi Foundation, a local institution in Jambi that also supports the struggle of SAD. SETARA Jambi Foundation started advocating for SAD since 2007.

“...we started to enter it around the year 2007, then Miss Isti from the National Peasant Union (STN) came to SETARA persuade us to together accompany the struggle of the SAD, then we said yes, we start to advocating them, they tell us their
difficulties, we help complete the data of the communal land, what kind of land map, what kind of way to turn the evidence of land ownership to the government and Asiatic, our arrival is accepted by them.” (Ade, 2016).

SAD and NGOs have communicated intensely, it means that there has been a process of socialization of goals and values to individuals in the movement which in Hiller’s explanation is usually done through studies and discussion forums. Discussion forums are intended to keep face-to-face contact between individuals within the movement that strengthen the sustainability of the movement.

At the end of 2005, before the NGO’s came in, SAD had blocked the truck of the company. The blockade was carried out for up to 15 days before it was finally forced to disperse by the security forces sent by the company (koran.bisnis.com). The action of SAD by blockading the road is actually a signal of the same interest (interest phase) to build a stronger SAD movement. The way they did by opening themselves to the entry of NGO support in early 2007.

Suku Anak Dalam Bathin Sembilan Movements Towards the Tactical Strategies: Protest Phase

The presence of NGOs is needed by the SAD movement to provide sources of funding, advocacy, knowledge resources, and to negotiate. Regarding administrative considerations and NGO’s bureaucracy are certainly much more understanding and experience.

There are several NGOs that actively supporting to the SAD’s struggle, they are:

1. SETARA Jambi Foundation: A non-governmental organization born of concern over the increasingly destructive nature of resources, and increasingly marginalized local communities in the management of natural resources and the rapid expansion of large scale palm oil plantations that threaten the state of forests. Began to accompany the SAD from 2006 to 2013, advocating and assisting in various demonstrations, and also being asked to mediate for conflict resolution (forestpeoples.org).

2. CAPPA Foundation: A foundation that moves and supports issues of natural and agrarian resources. With a multi-stakeholder approach, the CAPPA is working to support people who are victims of agrarian land to obtain rights to land and natural resources in their area. Start accompanying SAD from 2012 to 2013.


4. As well as other NGOs such as WARS, Sawit Watch, Green Village, AGRA, AMAN, Forest People Programme which also has the same focus of positioning to support the struggle of the SAD against the company.

SETARA Foundation Jambi is an institution that has long accompanied SAD. According to Mr. Ade, the activist of SETARA Foundation, explained that:

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“In 2008 to 2009 we started a demonstration, land occupation, report to the government but failed, then demonstration again, land occupation again but failed again, but we continue to do, we are demonstration again to the government office, even we filed a repeated litigation time. The demands of the company immediately restore ulayat land and community claim.” (Ade, 2016)

The movement of SAD can be analyzed through two paths, namely:

1. Legal-formal path: a path taken by using formal space such as meeting with DPRD, negotiating with the company, and Lembaga Adat Batanghari (the institution of culture in Batanghari).

2. Extra-parliamentary path: is a path taken by using street action, such as demonstration, road blockades, walking action, and land occupation.

The following table shows the efforts of SAD:

<table>
<thead>
<tr>
<th>Legal-formal path</th>
<th>Extra-parliamentary path</th>
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<tbody>
<tr>
<td>In 2003: SAD held a meeting with Batanghari parliament and representatives of PT. Asiatic Persada discusses the impact of evictions.</td>
<td>In 2003: Demonstration SAD in front of Batanghari parliament office</td>
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<td>In 2007: SAD prepared letters of evidence of a violation of PT. Asiatic Persada for complaints to CAO (an independent body of RSPO) assisted by NGOs.</td>
<td>In 2005: SAD blocked the road through which trucks carrying oil palms.</td>
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<td>2008-2009: SAD with NGOs filed complaints letter to RSPO and CAO regarding violation of FPIC code of ethics, human rights, and customary land evidence.</td>
<td>In 2006: SAD accepted STN and SETARA to accompany their movement, STN and SETARA advocate and submit a letter to Batanghari regency.</td>
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<tr>
<td>In 2010: Government established Mediation Team with Governor Letter with the pattern of settlement of 1,000 hectares partnership scheme.</td>
<td>In 2012: SAD occupied land and creates blogs and Youtube accounts for information dissemination media managed by STN.</td>
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<tr>
<td>In 2011: CAO responded to demand and hold meetings while mediating conflicts until 2013.</td>
<td>In 2013: SAD resumed land occupation and demos in front of Jambi Governor's office.</td>
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<tr>
<td>2012: SAD participated in mediation with Government and NGO mediator (Joint Mediation Team) with 2,000 hectare partnership scheme.</td>
<td>2014: Part of SAD demo front office Batanghari Regent rejects 2,000 hectares partnership scheme.</td>
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<tr>
<td>2013: SAD participated in mediation with the establishment of an Integrated Team involving customary institutions at the district level.</td>
<td>2016: SAD took action on foot to Jakarta to reject the 2,000 hectares partnership scheme.</td>
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<tr>
<td>2014: SAD generated a mediation deal with the issuance of a Regent Decree on the results of a 2,000 hectares partnership scheme.</td>
<td>2016: SAD demonstrated in front of the Office of National Land to realize the return of 3,550 hectares of land.</td>
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The efforts of the SAD struggle above are the stages of the protest phase, which Hiller emphasizes in this phase of the movement finds suitability and loyalty to the objectives of the movement through concrete action, in which the roles and tasks of individuals in the movement are significant by intensively protesting.
SAD’s efforts against PT. Asiatic Persada was not easy because they encounter many obstacles to threats and even facing a death threat. The eviction of SAD by companies using the services of police officers was one of the most threat that SAD faced, especially in 2013. In fact, seeing this condition, the government as a key player actually has the authority to solve the problem of SAD land so that the conflict does not drag on.

This is far from expectations, however, because the state with the force of coercion chooses to give space and opportunities for private sector to carry out economic activities simultaneously affecting the rights of indigenous peoples, especially those who occured with SAD in this Bungku village.

As Hiller mentioned the social movement will experience a condition where the movement is experiencing “fatigue”. The author does not see the active role of the Indonesian mass media to drive this SAD issue to reinforce SAD’s own movement. This is reasonable because considering the Indonesian media's preference for indigenous people issues is still lacking, agrarian rights and related issues are excluded as exclusive issues, although SAD never aired on television (but not continuously), this does not have the impact of “exposure” as Hiller explains. According to Indigenous Voices in Asia-Pacific who also collaborates with AMAN (Association of Indigenous Peoples of the Archipelago) to present their research results that the reality of mass media in Indonesia has no sensitivity to indigenous issues. The mass media in Indonesia have not placed indigenous peoples on the same level as the mainstream society. It is also explained that the structure of media in Indonesia has been dominated by media conglomerate based in Jakarta. This is apparently also realized by NGOs who accompany SAD, they prefer to use social media like Youtube and Blog in disseminating information related to the movement of SAD. This is called the Utilizing of Information and Communication Technology (ICT) which is a much more independent alternative media. So the movement of SAD from the protest phase to the perspective phase is not reinforced by the active role of Indonesian mass media, but rather the active role and support of NGOs at the grassroots base (iva.aippnet.org).

The movement of the Suku Anak Dalam along with the NGOs also illustrates a pattern that movement is continuity, meaning that the movement is carried out with a long term tactical strategy, evidenced even though the previous strategy failed, the movement still has an advanced strategy. For example, in 2011 SAD conducted a demonstration with STN to the Jambi government but did not get a response, the following year did a demonstration again but still did not produce the results they wanted, then the same year they filed a letter of prosecution and so on, even in a year they could launch various different efforts. This suggests that the SAD resistance movement has reached a phase that no longer focuses on how to get support, but the SAD movement reaches a stage that solidifies the dynamics of movement through intensive and sustained collective activity.
Analysis of Suku Anak Dalam Bathin Sembilan Movements from 3 Perspectives (Defensive, Reformulative, and Becalmed)

Hiller (1975) explains that social movements will be confronted with three movements perspectives. The social movements persist at the original goal or Hiller called with defense. Reformulative where the social movement changed its original purpose to another goal and becalmed where the social movement is going to lose its urgency and lose the dynamics of its movement. Then what kind of movement of SAD itself, persist, or the purpose of change or movement has stopped.

When the mediation conflict resolution process undertaken by the Batanghari Government Integrated Team, SAD 113 decided to disagree with the 2.000 hectares of the partnership scheme that offered with Batanghari Government. However, the other Suku Anak Dalam group actually accepted the partnership scheme, amounting to 994 families who received 2 hectares of the land. The resolution of this conflict was passed through the Batanghari Regent’s Decree Number 180 of 2014. Farizal as former Head of Legal Division of Batanghari and former Head of National Unity and Politics (Indonesian: Kepala Badan Kesatuan Bangsa dan Politik) who directly involved in the conflict explained that:

“... the SAD 113 group asked for 3.550 who entered in Cultivation Rights (Indonesian: Hak Guna Usaha) of Asiatic, from the micro-survey field it was the basis for the 3.550 claims. For the resolution of the conflict sued by SAD group 113, the solution is 2.000 hectares as compensation, submitted with Regent’s Decree 180 of 2014, this solution is not accepted by SAD 113. Asiatic it originally PT. Bangun Desa Utama, the acquisition of the land originally from the release of forest area, because the HGU is limited only 20.000 hectares, but that is released as wide as 27.675 hectares. So the rest of the 7.675 hectares in broke into two companies, namely PT. Jammer Tulen and PT. Majasa Perkasa Sawit, thus the Asiatic HGU is only 20.000 hectares. The conflict does not speak here (20.000 hectares). The 2.000 hectares have been taken from 7.675 hectares as compensation. The root of the conflict is actually from the 20.000 hectares, they (SAD) claimed 3.550 in the HGU of 20.000 hectares, which they can from the results of the micro-survey. This is still a polemic until now, while the Asiatic when we meet in the Jambi House of Representative Province agreed on PT. Asiatic Persada refused to re-measure 3.550 hectares of HGU, due to the completion of 2.000 hectares of 7.675 hectares of land.” (Farizal, 2016).

The number of SAD 113 itself according to the report of the result of SAD verification on December 8, 2011, conducted by Batanghari Local Government is 941 families. SAD 113’s rejection of the partnership scheme is reasonable because the given land is located outside the Cultivation Rights location of PT. Asiatic Persada and it is not included in Ulayat land. This rejection resulted in an extreme mass action by walking from Jambi to Jakarta due to unfair and incomplete conflict resolution of SAD rights. This rejection is expressly conveyed
by the Chairman of the SAD Bathin Sembilan, Abun Yani: “We reject the pattern of compensation. Because the initial agreement of 2,000 hectares of land is only land for livelihood. While we want instead of 2,000 because our land area is 3,550 hectares that occupied by the company.” (Dunan, 2015).

For SAD groups who accept conflict resolution with 2,000 hectares of the partnership scheme, their movements are halted and there is no longer a goal to be achieved as they have land and agreed on the conflict being resolved, then this is called becalmed situation. As Herman Basir, a Tumenggung Bathin Sembilan, told to Jambi Ekspress, he explained that the SAD conflict with PT. Asiatic is over, people are enjoying the agreement. SAD is already harvesting and enjoying the proceeds with an average weekly income of 1.6 million rupiahs. The movement of some SAD has stalled and no more urgency to the dynamics of the movement in fighting for their customary land. The goal, which initially required 3,550 hectares of land to be transformed into 2,000 hectares of the partnership scheme, suggests that some SAD groups consider the solution to be far more promising in their lives, especially in the economic aspect, especially on previously unclear livelihoods with their 2,000 hectares of the partnership scheme can cultivate the land.

Yet another case with some SAD 113 groups that are still doing mass actions in order to achieve their goal of taking back their customary land of 3,550 hectares. It describes that the movement of some SAD is still defensive or survive with the first goal. There are at least 1,200 SAD families who refuse to settle through 2,000 hectares of the partnership scheme from Integrated Team of Batanghari Regency. By remaining faithful to the original goal, the movement of SAD from some of these groups emphasized that the achievement of the total goal must continue to be fought. So it can be analyzed that the continuity of movement of SAD split into two perspectives namely: Defensive and Becalmed.

It can be observed also that the movement of SAD fluctuated but did not cause the significant moral decline to make the movement die, in other words, the movement is quite stable because almost every year the SAD movement constantly make efforts in fighting their customary land. This explains the movement of SAD has never been a vacuum for a long time. Although in its story, the movement of SAD has split due to the different views against towards the goal. As Hiller explains that the protest movement's social movements rarely bring movement to total victory or goal accomplishment. So the condition that some SAD accept conflict settlement with 2,000 hectares of the partnership scheme is a victory felt by some SAD because the majority of other SAD is still fighting for 3,550 hectares of their Ulayat land.

D. Conclusion

From this research, it was concluded that SAD conflict started since 1987 when the government gave permission to open forest area in Bungku village to PT. Asiatic Persada about 20,000 hectares which are valid until 2021. The 20,000 hectares of land in which there is a customary land of SAD of 3,550 hectares. Initially, the conflict was hidden
due to oppressive political system pressure. The collapse of the New Order Era became the beginning of the movement and awareness of the SAD to reclaim their customary land. During the conflict, there were not only physical conflicts but also the conflict between customary law and positive law, particularly in terms of perceptions of evidence relating to customary land ownership. Not only that, but human rights violations are also accepted by SAD, where there is the role of the state. It was the soldiers and the police. The struggle to reclaim their Ulayat lands was accompanied by various NGO’s that focused on indigenous rights issues and agrarian issues. NGO’s are also working on strategies and protests from both legal-formal and extra-parliamentary path.

The continuity of the movement of the SAD is split into two perspectives: Defensive and Becalmed. The author finds that the movement divide into two differences in goals in the middle of the struggle process, whereas at the beginning of their movements have the same goals and expectations. This circumstance cultivates a solid perspective, values, and objectives perspective on a problem at the beginning of the movement, it does not guarantee that solid movement will always be solid, because the potential for disunity is possible even to influence the sustainability of the movement. Thus, the authors see that the similarity of perspective, values, and objectives that unite at the beginning of the movement is not enough to make the movement always be solid until the end, it means the social movements must have high integrity and solidity of their fellow to ensure the movement remains intact and the goal can be achieved.

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**Online Sources:**

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