

Traditional Community Participation Model in Conflict Resolution among Two Mining Companies

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Abstract

Introduction: Mining operations in North Sumatera Province have generated both economic opportunities and socio-environmental challenges for surrounding traditional communities. The coexistence of PT. Agincourt Resources in Batangtoru and PT. Sorikmas Mining in Naga Juang has triggered land disputes, environmental degradation, and social polarization, reflecting the tension between corporate expansion and the preservation of customary (adat) values.

Purposes of the Research: This study aims to map and classify sources of social conflict between mining companies and local adat communities, examine the dynamics of traditional institutions, and develop a participatory conflict resolution model that integrates local wisdom and community empowerment.

Methods of the Research: Using a mixed-method design, this research combines quantitative surveys with qualitative approaches, including in-depth interviews, focus group discussions, and participant observation. Data were analyzed using parametric statistics and qualitative matrix analysis to identify socio-cultural dynamics, conflict patterns, and the institutional role of adat in mediating disputes.

Results of the Research: The findings show that mining activities have disrupted social cohesion and traditional governance structures, particularly regarding ulayat (customary) land rights. Nonetheless, the study introduces a Traditional Community Participation Model emphasizing adat leaders as mediators in conflict resolution. This model reinforces social capital, restores trust, and enhances collaboration between companies, communities, and government institutions. The research offers a novel integrative framework linking customary institutions with sustainable conflict management and responsible mining governance in Indonesia.

Keywords: Social Conflict Resolution; Traditional Community Participation Model; Impact of Mining Companies.

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INTRODUCTION

The Government has established regulations governing mining activities within its jurisdiction, requiring all companies to secure licenses to ensure effective oversight of mining operations. This is stipulated in Law Nomor 3 of 2020, Article 35, which mandates that "mining business activities shall be conducted based on a Business License issued by the Central Government"¹. Artisanal and small-scale mining is implicitly regulated under

¹ Efni Cerya and Afriva Khaidir, "Implementasi Hukum Pengelolaan Tambang Galian C Di Indonesia: Sebuah Kajian Literatur," *JRTI (Jurnal Riset Tindakan Indonesia)* 6, no. 1 (2021): 56, <https://doi.org/10.29210/3003755000>.

Articles 20 to 26 concerning People's Mining Areas (WPR), as well as Articles 66 to 73 concerning People's Mining Licenses (IPR), as outlined in Law Number 4 of 2009 on Mineral and Coal Mining². Eleven years after the enactment of the 2009 Mineral and Coal Mining Law, the Government introduced strategic reforms in 2020 aimed at restructuring the mineral and coal sector.

Two mining companies, PT. Agincourt in Batangtoru Sub-district, Tapanuli Selatan Regency, and PT. Sorikmas Mining in Naga Juang Sub-district, Mandailing Natal Regency, which invest their capital in North Sumatera Province, have positive and negative impacts on the social life of the local people who dwell surrounding the companies. The positive impacts are that they become an alternative source of PAD (Regional Generated Revenues), especially for the local government, giving opportunity of employment for local people, increasing economic condition, and contributing to the changing infrastructure³. In short, they can improve people's welfare and regional development⁴.

Nevertheless, studies reveal more complex social dynamics. Research conducted by the Indonesian Institute of Sciences on community perceptions in Mandailing Natal highlights that mining activities significantly influence local economic mobilization. At the same time, mining operations often generate social polarization⁵, and exacerbate the risk of social conflict, particularly when disputes over land ownership neglect the rights of legitimate stakeholders⁶. In some places social problems arise like in Papua where expatriate workers of PT. Freeport Indonesia are more "privileged" than local and national community workers who are treated differently in their payment. In Lembata, Flores, the mass joined in the Anti-Mining Society Movement (GERAM) rejected various social movements. Ideally, mining operations should enhance community welfare through the implementation of Corporate Social Responsibility (CSR) and community development programs. However, in practice, the policies and approaches adopted by many companies often fail to generate significant economic, social, or cultural benefits for local populations⁷. In North Sumatera, the presence of mining enterprises carries substantial potential to spark intra- and inter-community conflict, leading to social polarization that demands early and comprehensive resolution⁸. These tensions are rooted in the marginalization of traditional communities, whose limited organizational and networking capacities have allowed external actors and opportunistic elites to capture benefits from mining activities⁹.

This research were concerned with a) the existence of conflicts between mining companies and the local people at the areas of mining companies claimed by the local people as *tanah ulayat* (village *adat* land), b) ineffectiveness of mining companies in realizing community development program and CSR, especially in the traditional *adat*, and c) the

² Derita Prapti Rahayu and Faisal Faisal, "Eksistensi Pertambangan Rakyat Pasca Pemberlakuan Perubahan Undang-Undang Tentang Pertambangan Mineral Dan Batubara," *Jurnal Pembangunan Hukum Indonesia* 3, no. 3 (2021): 337-53, <https://doi.org/10.14710/jphi.v3i3.337-353>.

³ Susie Jacobs, "Agrarian Reforms," *Current Sociology* 61, no. 5-6 (2013): 862-85, <https://doi.org/10.1177/0011392113486660>.

⁴ dkk Suharto, *Poverty and Social Function in Indonesia* (Bandung: STKS Press, 2003).

⁵ Ledy Yakin Ambarita, "Consequences of PT. Sorikmas Mining on Social Economic Polarization of Tarutung Panjang Village Community, Naga Juang Sub-District, Mandailing Natal Regency" (Universitas Sumatera Utara, 2013).

⁶ Ali Sulton, "Dampak Aktivitas Pertambangan Bahan Galian Golongan c Terhadap Kondisi Kehidupan Masyarakat Desa (Analisis Sosio-Ekonomi Dan Sosio-Ekologi Masyarakat Desa Cipinang, Kecamatan Rumpin, Kabupaten Bogor, Jawa Barat)" (Institut Pertanian Bogor, 2011).

⁷ Salam and Abdul, "The Impact of Mining Industry towards Local Community" (2004).

⁸ Laila El Krekshi, "Indigenous Peoples' Perspectives on Participation in Mining the Case of James Bay Cree First Nation in Canada," 2009.

⁹ Sulton, "Dampak Aktivitas Pertambangan Bahan Galian Golongan c Terhadap Kondisi Kehidupan Masyarakat Desa (Analisis Sosio-Ekonomi Dan Sosio-Ekologi Masyarakat Desa Cipinang, Kecamatan Rumpin, Kabupaten Bogor, Jawa Barat)."

need for a resolution model of the social conflicts based on social institution and local people's representative, acceptable, and credible participation in resolving the conflicts¹⁰.

The objective of the research was a) to understand the types and description of the social conflict escalation which often occurred concerning the existence of mining companies in the areas where local people lived, b) to classify potential, latent, and actual issues in the source of conflict between mining companies and the local people at the areas of mining companies, and c) to map the interaction dynamics among social and *adat* institutions in order to strengthen the function of these institutions by using traditional community participation model of the local people as "a partner" of mining companies in North Sumatera Province¹¹.

METHODS OF THE RESEARCH

The research used dynamic quantitative and qualitative survey method which was excelled as a method of collecting database analyzed with parametric statistics¹². The purpose is to understand the types and the descriptions of social conflict escalation which often occurred with the presence of mining companies and to obtain basic data on socio-economic characteristics¹³, livelihood system, population mobility, socio-economy, perception on social inclusiveness, socio-cultural capacity, sources of risk and social conflict, and institutional and socio-cultural dynamic maps¹⁴. A qualitative review of latent and actual issues of conflict sources in traditional communities surrounding mining companies is pursued by conducting in-depth interviews, FGD's¹⁵, and participant observation in order to obtain a description of historical data, facts, and local socio-cultural phenomena of local people's tradition and *adat* structure¹⁶. Qualitative analysis is carried out simultaneously with the process of collecting the data (on going analysis), followed by the process of data classification, data reduction, data presentation, and conclusion drawing from the categorization in various matrices¹⁷.

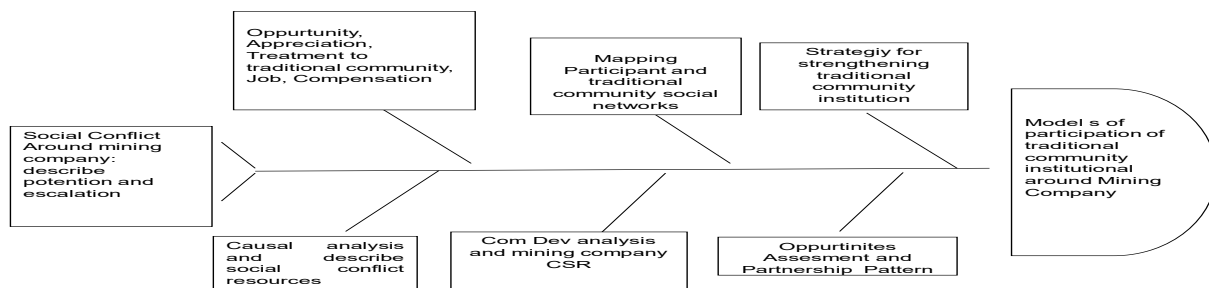


Figure 1. Model of Research Plans

¹⁰ Refina Mahargita, Ahmad Baikuni Perdana, and Muhammad Yusuf Syaifullah, "Comparative Analysis of Land Management Approaches for Public Development on Customary Land: Emphasizing Cooperative Land Banking (CLB) in the Minangkabau Case Study," *Jurnal Penelitian Hukum De Jure* 24, no. 3 (2024): 307–20, <https://doi.org/10.30641/dejure.2024.V24.307-320>.

¹¹ Yevendri Yevendri, "The Existence and Urgency of Customary Land In West Sumatra Province," *Asian Journal of Social and Humanities* 2, no. 2 (2023): 1777–83, <https://doi.org/10.59888/ajosh.v2i2.184>.

¹² John W. Creswell and J. David Creswell, *Research Design. Qualitative, Quantitative, and Mixed Methods Approaches* (SAGE Publications, 1994).

¹³ Marthina Tjoa, Mersiana Sahureka, and Arfandy Renyaan, "The Role Of Customary Institutions In Natural Resource Management In Kailolo, Haruku Island," *Tropical Small Island Agriculture Management* 1, no. 1 (2021): 19–27, <https://doi.org/10.30598/tsiam.2021.1.1.19>.

¹⁴ Kenneth D. Bailey, *Methods of Social Research* (Minnesota: Free Press ; Collier Macmillan, 1982).

¹⁵ Corrine Glesne and Alan Peshkin, *Becoming Qualitative Researchers : An Introduction* (SAGE Publication, 1992).

¹⁶ James P. Spradley, *Participant Observation* (Holt, Rinehart and Winston, 1980).

¹⁷ Gene V. Glass, Barry McGaw, and Mary Lee Smith, *Meta-Analysis in Social Research* (Sage Publications, 1981).

RESULTS AND DISCUSSION

A. Traditional People in the Vicinity of Mining Companies

The traditional communities residing in Batangtoru Sub-district can be identified through their social institutions, the role of community leaders, the functions and cohesion of social organizations¹⁸, as well as their contributions to various aspects of social interaction and community relations. Based on interview findings, most respondents showed respect toward individuals considered indigenous, landowners (those possessing extensive land), or their descendants who had allowed people to inhabit their land¹⁹. Consequently, some acknowledged that the descendants of King Pulungan (Raja Mandongung) or King Siregar (Siagian) were recognized as community leaders and regarded as the founding figures of their hometown.

The indigenous communities residing in the vicinity of PT. Sorik Mas Mining possess a distinct historical background. In 1927, their settlement remained unnamed when it was first visited by migrants from Sambilan Julu, Toba. The early settlers were members of the Sianipar, Hutapea, and Silitonga clans, who at that time adhered to the belief system of *Mula Jadi Na Bolon* (Parmalin). The area was then still covered by dense forest, particularly durian trees known locally as *tarutung harangan*, characterized by fruit with an elongated texture that was inedible, leading to the name *Tarutung Panjang*. In 1928, the initial community governance structure was established in Tarutung Panjang Village through the appointment of a *ripe* (village head), King Simon of the Silitonga clan, who simultaneously served as the leader of traditional ceremonies. While Tarutung Panjang and Humbang I villages are predominantly inhabited by the Batak Toba people, Naga Juang Sub-district is largely settled by the Batak Mandailing community, who are predominantly Muslim²⁰. The villagers in this area have the risk of flood since their villages are located by the basin of the Batang Gadis River which is 180,000 km long and 65 m wide with its water volume of 25,781,11 m³.

B. Social Conflict and Perception on Mining Company

The process of land compensation to be provided by PT. Agincourt Resources (PT. AR) is directly associated with the *ulayat* land of the Siregar and Pulungan clans. However, PT. AR has allegedly engaged in discriminatory practices by excluding these clans from the compensation scheme, thereby neglecting their customary land rights. Instead, the company appears to have directed compensation payments to Nias residents in the Hutasoit area over the past two decades.

Furthermore, the local villagers demonstrate limited awareness of how the mining companies have managed their *ulayat* land. This lack of transparency has generated uncertainty and concern regarding their future. Many villagers suspect that the mining companies have accrued substantial profits from the exploitation of both the *ulayat* land and its natural resources, while the rightful landholders have been marginalized. Consequently, a prevailing sentiment among respondents highlights a sense of being deceived by the companies. In light of this, the majority of respondents expressed the expectation that structured dialogues should be facilitated among villagers, mining companies, and

¹⁸ Natalie L. Sproull, *Handbook of Research Methods: A Guide for Practitioners and Students in the Social Sciences* (Scarecrow Press, 1988).

¹⁹ Fred N. Kerlinger, *Foundation of Behavioral Research* (Holt, Rinehart and Winston, 1964).

²⁰ Mandailing Post, "The Suspect of Mandailing Natal Riots Increased," Mandailing Post, 2012.

government representatives to address the issues surrounding land rights and to deliberate on the prospects of natural resource exploration, particularly in Nagajuang village.

Community concerns regarding the adverse impacts of mining can generally be categorized into three dimensions: morality, religion, and the environment. Findings from this study indicate that most local residents are aware of the negative externalities associated with mining activities. Their awareness is informed by multiple sources, including neighbors, advocacy efforts by non-governmental organizations (NGOs), relatives residing in urban areas, as well as observations of the impacts caused by PT. IIU (PT. TPL) Porsea and the Lae Renun Hydroelectric Power Plant (PLTA).

Approximately 58% of respondents identified environmental degradation as the most prominent negative consequence of mining, particularly the disruption of clean water availability, reduced irrigation capacity, and the depletion of water resources for fish ponds. Furthermore, contamination of drinking water and river systems has been reported, leading to skin irritation among villagers who customarily bathe in river water. Air pollution resulting from mining operations was also noted as a concern. Beyond environmental issues, respondents expressed anxiety over the potential displacement from their villages, which would no longer be habitable due to mining activities. Such displacement is perceived as threatening the loss of farmland, which in turn generates broader social problems, including the proliferation of prostitution, gambling, drug abuse, and the rise of night entertainment establishments such as discotheques and clubs.

In addition to environmental and social concerns, respondents highlighted the erosion of communal values. The presence of mining companies is believed to have shifted social relations from a sense of solidarity and togetherness toward increasing individualism. Finally, there is a profound apprehension that local *adat* traditions and cultural heritage, long preserved by the community, may gradually disappear under the influence of extractive industries.

The result of the interviews with some respondents in Batangtoru Sub-district about the negative impacts or the side-effects, it was found as follows: 1) the possibility of the incidence of environmental pollution, especially river water, 2) the change in the pattern of sickness suffered by the local people, 3) negative impacts on local people's culture and lifestyle, 4) the potential increase in social conflicts such as the sense of jealousy and prejudice, between the local people and the immigrants who work at the mining companies, and 5) the effect of recurrent explosion which occur in the mining area can damage the soil surface and earthquake structure in Batangtoru Sub-district and its vicinity. Some other bad effects are social jealousy between the people who receive land compensation and those who do not at the location of PT. Agincourt Resources, Batangtoru and its vicinity and the split between the workers who come from other places and the indigenous people occurs in Nagajuang villages.

The mining company, PT. Sorikmas Mining, operates in gold powder owned by Aberfoyle Pungkut Pte Ltd which owns 75% of stocks while the remaining 25% is owned by PT. ANTAM. The mining company has created the polarization of groups of people and *adat* communities. The land area of the work contract in the area of Naga Juang and its vicinity is in the neighborhood of 32,000 hectares. It is very close to villages, especially Tarutung Panjang village; it is around 2 to 3 kilometers, and even some of its area is located in the villagers' land.

The rejection of PT. Sorikmas Mining by local communities is primarily attributed to several factors: environmental degradation, disruptions to villagers' daily activities, and the perception that the company prioritizes profit over the welfare of local residents. Available data indicate that a conflict between the company and the community occurred on July 7, 2012, when residents demanded compensation for land acquisition at the gold mining site in Mandailing Natal Regency. PT. Sorikmas Mining (SM), which has operated under a work contract since 1998, is currently in the exploration phase, preceding the transition toward construction and production. The prolonged duration of the exploration stage is closely linked to changes in the status of the company's concession area, which notably includes sections of the Batang Gadis National Park.²¹

The result of interviews with the company's management showed that there were three reasons why PT. Sorikmas Mining was rejected by the people at Naga Juang: 1) they felt jealous of the company which operated in mining close to their village, 2) they thought that the company would damage the environment (actually they were afraid of being competed by the company since they themselves operated their own mining which would, of course, damage environment since their mines did not any license and were not standardized), and 3) many of them began to realize that there was a lot of gold deposit in their neighborhood since PT. Sorikmas Mining did its exploration in their area. The local people's disappointment with the mining company's denial is responded by the respondents in various forms from passive actions to anarchic ones. Most of them will protest and fight against the company if the latter causes negative effect on them.

Conversely, local communities perceive the presence of mining companies as a source of considerable expectations for improving their future livelihoods, particularly in terms of economic stability and social welfare in Batangtoru Sub-district. Such aspirations are reflected in their proposals for Community Development programs and their participation in KPMD (MC3). Nevertheless, these expectations are accompanied by significant concerns among respondents regarding the potential adverse impacts of PT. Martabe (Agincourt Resources) during both the exploration and mining stages, particularly in relation to socio-cultural disruption, health risks, and environmental degradation. The result of the survey conducted in 16 villages of Batangtoru Sub-district showed that in general the local people could receive natural resources processed by the mining companies in Batangtoru Sub-district because they realized that there were some positive impacts of the existence of the mining companies: opportunity for employment, having domino effect on the opportunity for doing business, increasing development infrastructure such as roads and other public utilities. Besides that, the local people will also be happy if the compensation for their land is reasonable; let alone if their villages are allocated for the *adat* communities.

C. Conflict Resolution in *Adat* Community

In general, the role of public figures, especially *adat* community, can be trusted when it is considered that they are able to fight for the sense of togetherness, justice, responsibility, and become exemplars. Even though there are differences in determining leading figures, they have their own criteria of the persons who are honest, fair, and reliable. Besides that, they have to be able to solve any problems in villages such as the problem of inheritance or conflict in land, family conflict, dispute among villagers, and other conflicts.

²¹ Mandailing Post.

The conflicts among the local people which become the object of this research varied, but they usually can be resolved by using *adat* mechanism. Conflicts among the people which are resolved with an *adat* way, among others, are a) in the case of fish theft, the village meeting with *adat* leaders has decided that the thief is evicted from the village to Aceh Singkil (Subussalam or Sumbulsalam), b) in the attempted murder, in the beginning it is believed that it will be 'included' in legal case, but it is settled in *adat* law. The process of the resolution in *adat* law involves village leaders and the relatives of the victim and the perpetrator²², c) the cases of land dispute (common cases) involve all villagers; it is about disputes in inheritance and land boundaries. These cases are solved by involving traditional leaders, the conflicting parties, and relatives as witnesses. The resolution process is done through meetings attended by all parties involved so that the cases will be settled down peacefully²³.

D. Local People's Participation in CSR Program and Community Development (CD) of Mining Companies

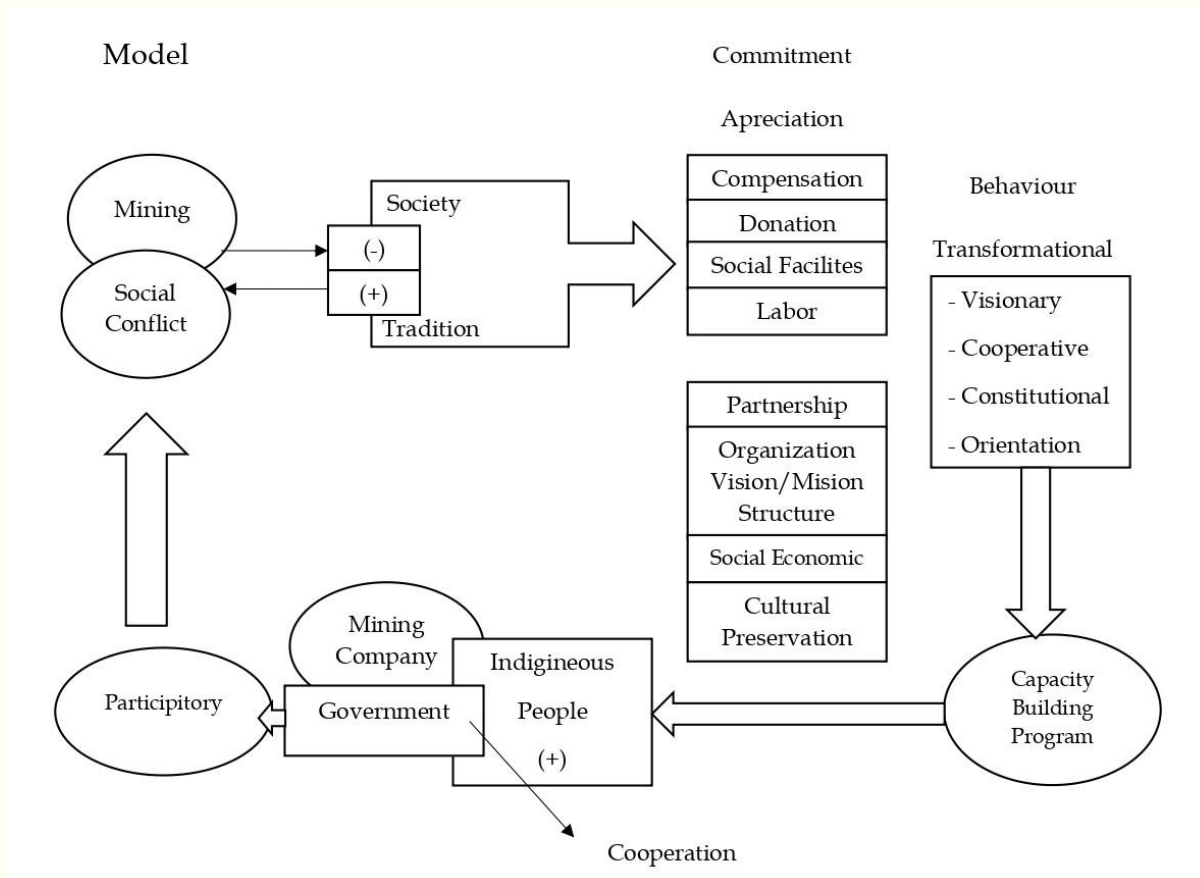
In the midst of the local people's hesitation, caution, and suspicion against the mining companies, they have some hope for their future life due to the mining companies. They hope that the establishment of the mines can help them improve their living standard, especially in the economic improvement, socio-cultural development, and public utility. The result of the interviews with the respondents showed that they accept the fact over the mining activities since they are helpless and cannot resist them since the mining companies have had permit from the Government. Therefore, they only hope that the mining activities do not disturb and harm them. The aid from the mining companies is expected to be beneficial for them. They expect that the aid should be in the form of social cost concerning Community Development and CSR programs such as follows: a) building mining employees' settlement close to their villages so that the employees will buy their necessity of life from the villagers; b) Providing employment for the local people or the villagers according to their abilities; c) Establishing cooperatives to help local people with business capital for their farms through soft credit; d) Providing training about unused land, especially about cultivating various varieties of productive and economic crops; e) Providing training about the cultivation of fish and livestock which is in accordance with the condition of the villagers; f) Providing scholarship for the local people's students; g) Improving houses of worship and *adat* facilities; h) Improving village roads by widening them; i) Building *jambar* (ceremonial hall) as a tribute for *adat* leaders such as Ciberu landlord in Tuntung Batu.

Some suggestions for other *adat* communities in the other research locations about Community Development programs are as follows: (1) a program of local people's economic improvement and prosperity in agriculture and small industry, (2) a program for increasing local people's health quality and facility, (3) availability of village funding and financing institutions, (4) a program for increasing the quality of local people's education and human resources by providing prime schools and scholarships, (5) a program for increasing the capacity of traditional markets, and (6) a program for protecting cultural sites.

²² Bambang Daru Nugroho, *Hukum Adat: Hak Menguasai Negara Atas Sumber Daya Alam Kehutanan Dan Perlindungan Terhadap Masyarakat Hukum Adat* (Refika Aditama, 2015).

²³ Febrian and Aldri Frinaldi, "Penguatan Lembaga Masyarakat Adat Dan Penegakan Hukum Lingkungan Pertambangan Timah Berdasarkan Undang-Undang No. 3 Tahun 2020 Di Bangka Belitung," vol. 06, 2024, <https://journalversa.com/s/index.php/jhm>.

E. The Concept of Traditional Community Participation Model in Conflict Resolution



CONCLUSION

The presence of mining companies in North Sumatra Province generates both positive and negative impacts across economic, socio-cultural, and environmental dimensions. Although a range of Corporate Social Responsibility (CSR) and Community Development programs have been introduced, these initiatives are often overshadowed by social unrest and conflict triggered by mining activities. Such conflicts have contributed to social polarization, with divisions emerging between groups supportive of and opposed to mining operations, particularly in relation to the use of *ulayat* land. Findings from this research indicate that the traditional community of the Pulungan clan in Batangtoru Sub-district, located near PT. Agincourt Resources (PT. AR), remains relatively cohesive and actively engaged in addressing social tensions between the company and local residents. By contrast, communities in the broader Batangtoru area exhibit weaker cohesion due to acculturation processes with other *adat* groups, which has diluted traditional solidarity. Meanwhile, residents in the vicinity of PT. Sorikmas Mining in Naga Juang Sub-district experience deeper social fragmentation, increasing the potential for conflict that may influence subsequent operational phases of the company. In principle, local communities could serve as strategic partners for mining companies and government stakeholders in mitigating conflict, provided that participatory approaches are adopted which meaningfully involve *adat* institutions. This is particularly critical given that the intersection of socio-economic, cultural, and capital interests with mining prospects often produces grievances among those excluded from benefits, while simultaneously encouraging opportunistic behavior among actors positioned to exploit social tensions.

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