

# Preservation Cultural Heritage Area at Local Government Policy of Sawahlunto Indonesia

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**Abstract:** Legal constructed as a tool of social change for the people, especially when the mechanisms of social control other can not function properly, the benefit for the community and provide services that justice so that they can create their order, security and peace (social order), as one of the working device social system, should be able to accommodate the needs of the society.

As a means of social control, the law is not only constructed, in development at this time, but the law also constructed as a tool for social change (a tool of social engineering), that the law as a system that has a component substantive (rules) with the conception that looks and structural and cultural components (rules and customs or traditions) provide direct legal function and active as a tool of social engineering that could impose changes in society. Rapid urbanization and unsustainable development process, leading to the city have been greatly influenced by the planning and implementation of urban growth has led to a decrease in urban quality. This occurs in Sawahlunto city is a mining town

**Keywords:** Preservation, Culture Heritage, Local Government Policy, Sawahlunto.

## I. INTRODUCTION

**H**uman population growth, building density is excessive, the modern development of standards and monotonous, loss of public spaces and facilities, the infrastructure is not appropriate, social isolation, urban poverty, use of resources is not sustainable and climate change is just a small part of the problem faced by more and more cities around the world. [1]

Rapid urbanization and unsustainable development process, leading to the city have been greatly influenced by the planning and implementation of urban growth has led to a decrease in urban quality. This occurs in Sawahlunto city is a mining town, which started since the discovery of coal reserves in the mid-19th century by Ir. de Greve. Since December 1st, 1888 Dutch East Indies began making investments, that is, when money of 5.5 million guilders invested by the Dutch East Indies government to build facilities of coal mine exploitation industrial and transportation needs of the future. This event later immortalized as the anniversary of the city of Sawahlunto. [2]

Van Lier (1917) and Gedenkboek der Staatsoor en Tramvegen at Netherlands Indies from 1875 to 1925, published in 1925 wrote the words of Sawahlunto consisting of two syllables of "Rice and Lunto". This may be related to the mining area Ombilin itself.

In the mining area of Sungai Durian (the first mining area) there is a country named Lunto. Splitting Sawahlunto city from South to North, there is a river called Batang Lunto. [3] Land which is now a residential and market to East (Hospital) are former rice fields. So Sawahlunto derived from the rice fields, and the Rods Lunto Lunto country. Sawahlunto city name is returned as formerly consisting of two syllables: Rice and Lunto.

The increasing demand for modernization, local identity and visual integrity of the cities, which is formed by a distinctive cultural and historical development, directly affected. Rapid and uncontrolled urbanization have caused damage and destruction of the heritage of the town, threatening the identity and local culture and sense of place in the cities provide a basis for the integration of the preservation of urban areas within the framework of sustainable development as a whole through the implementation of a range of traditional and innovative tailored to local context. [4]

As a definition, to expand our understanding of the town's historic environment helps to identify the elements that make the complex a different city and create a sense of the city as a place and identity. [5] These layers are the wealth that needs to be recognized and enhanced in the preservation and urban development strategies. increasingly competing with each other, both nationally and internationally. Globalization makes the cities are similar in terms of finance, information technology or modern urban development patterns, while culture and heritage is a resource that will always distinguish the town to another town.

Law is expected to have an optimal role to encourage and be a means of engineering the social changes as desired and aspired by the people, in this context of law can not be separated and away from community life, according to what is at the core of thought sociological jurisprudence, namely that a good law should be in accordance with the law should live in the community. [6] Laws come from the community and live and proceed in the community.

Escort legislation by Law - Act No. 11 of 2010 on Heritage, in the second part Sites & Region Article 10 states units of geographical space can be defined as an area of Heritage if: the form of the cultural landscape of the result form-old man at least 50 (fifty) years; show evidence of the formation of the cultural landscape; and have a soil layer sets containing evidence of human activity or fossil deposits. Part

Three –utilization Paragraf 3 Revitalization of Article 80 (1) Revitalization of the potential of the heritage or Region Heritage attention to layout, layout, social function, and / or native cultural landscape based on the study.

Part Five - Ranking Article 42: Preserve Cultural Heritage can be set into the national rankings if qualified as: proof of the evolution of civilization and cultural exchange across countries and across regions, both extinct and living in the community; and / or important examples of traditional residential areas, cultural landscapes, and / or utilization of space is unique endangered. [7]

From the above background, the author raises the issue was due to the dwindling resources of coal mining companies to stop production so Sawahlunto city nearly became a ghost town. This condition makes the policy makers to think about the welfare of the local society, based on Law No. 23 of 2014 on Local Government, sustainable development policy thinking towards development.

The intent and purpose of this paper is to look at the interests of the change City of mine into a city with tourism activity that can be managed based preservation for the benefit of people's welfare, such changes require a law to regulate it so that the harmonization of legislation on local government policy in the use of heritage cultural heritage become one the pillars of the nation's cultural resilience.

## II. PROBLEM STATEMENT

1. What are the policies issued by the local government in restoring Sawahlunto city as a world heritage city which formerly become a ghost town?
2. How the process through which the Local Government Sawahlunto city become the city as a World Cultural Heritage?

## III. METHODOLOGY

This type of research used methods Empirical namely legal research regarding the enforcement of the legal provisions of normative (regulatory legislation) are in action at any event certain law that occur in the community, with the approach: conceptual approach, the approach of legislation, case-based approach, and the approach historically, secondary data and primary data sources, secondary sources consisting of primary legal materials, secondary law and tertiary legal materials, methods of qualitative data analysis normative, carried out by discussing the legal norms, the doctrine of the data obtained from the object of study has in inventory.

## IV. DISCUSSION

### 1. *Sawahlunto Local Government Policy in Preservation of Cultural Heritage Area.*

Since the initial introduction of Vision, Mission city Sawahlunto Sawahlunto by the city government in early 2002, a long way has been traveled for more than 10 years by governmental Ir H Amran Nur. He has managed to continue the program which has been confirmed by Parliament

Sawahlunto so quite a long journey that has managed to bring Sawahlunto more advanced than before. [8] Programs that are very clearly visible in the eyes of today is the government's success in managing heritage city which is based on the Dutch colonial legacy of coal mining.

Beginning with the revitalization program and the preservation of several buildings, including the city's infrastructure in time is quite short, that in 5 years, a team of Sawahlunto Development Planning made in decision by the mayor of Sawahlunto has been planning revitalisation and preservation of cities heritage responsible - also formed a special Regional Technical Implementation Unit for the planning of historic buildings and the museum as a form of government consistency in the management of the heritage town of Sawahlunto. [9]

Government policy in the inventory of cultural heritage heritage Sawahlunto city starting from data collection or inventory in 2002 in cooperation with the Government of Sawahlunto West Sumatra Heritage Agency inventory of heritage buildings in Sawahlunto. In 2006, Mayor Sawahlunto issued decision Number 109 of 2006 concerning the, Building, Building area, Sites and Cultural Heritage Object.

In 2007 Sawahlunto city government in collaboration with the Archaeological Heritage Preservation (BP3) Work Area West Sumatra, Riau and Riau Islands Archaeological Studies colonial buildings do Sawahlunto city. In 2007, [10] local government Sawahlunto local regulation No. 6 of 2007 on Cultural Heritage Objects. Policies to make Sawahlunto as mine tourist town seems to be the right choice, not only with the city can maintain its historical identity, but also more opportunities to spur economic growth of non-mining sectors.

Although the latter is not new at all for Sawahlunto, **but the affirmation was** to play a role as a tourist town mine, Sawahlunto actually has a very strategic comparative advantage in the future development of the population. [11]

**Settling physical** assets town to conduct an inventory and preservation of historic buildings is appropriate, except for these assets is urgently needed because it threatened to collapse or misuse of its functions, but also because it is a physical asset that is one of the excellent of the most typical of the profile historical Sawahlunto. [12] Administrative management of the culture heritage area will go well if supported by a good administrative factors.

Their urban development strategy as a source of information for potential investors about the possibility of utilization of historic buildings;

Implementation of policies and city planning flexible to combine the needs of preservation is cultural heritage to the possibilities of new development which is economically advantageous. This can be formulated in the management planning of protected historic district; Simplification of administrative procedures (policy of the table); [13]

The appointment of project coordinators and implementers in the field as a team representing the private sector and the government, the full responsibility of the project and were able to overcome the administrative and financial leksitas comp present in any preservation project. [14] The existence of a structured financial evaluation for each project using management techniques that modern building sites eg historic building management plan. Their tenancy policies that do not harm the private sector

## 2. Sawahlunto City Policy Changes the Field of Preservation of Cultural Heritage Areas

In deliberation discussion society with the Local Government and Legislative of 2001 Formulated City Vision: "Sawahlunto 2020 Become Tourism City Mine The cultured" (Regional Regulation No. 2 of 2001) Preparation of documents cities Sawahlunto in cooperation with various parties for historical data collection Sawahlunto city, in cooperation with some of the community's cultural heritage preservation, cooperation make an assessment or plan relating to the Tourism city. [15]

Sawahlunto Local Regulation No. 02 Year 2001 About Vision Mission of Sawahlunto. Revitalization do administration in Region cultural heritage of the old town Sawahlunto as a form of implementation of a policy which looks at the efforts of the city government to actualize in various aspects such as: [16] to renew the regulation of mining in order to minimize the mining exploration that led to environmental degradation, preservation approaches and pemanfaatan back historic heritage town of coal mining activities, construction of new tourist rides are synonymous with mining and quarrying of modern tourism and traditional values through eventmulticulture scale performances locally, nationally and internationally.

The policy of the Government of Sawahlunto in protecting the heritage of cultural heritage of government inventory with by virtue the mayor's decision on Establishment of Cultural namely Mayor decree Sawahlunto No. 84 Year 2007 concerning the Stipulation of Historic Areas, Building, Building, Complex Building, Site and Features As Heritage Objects Sawahlunto , Mayor decree Sawahlunto Number: 189.2 / 250 / WAKOSWL / 2014 on Stipulation of site and Heritage Buildings KotaSawahlunto and Mayor decree Sawahlunto Number: 189.2 / 327 / WAKOSWL / 2017 on Stipulation of objects, buildings, structures and trusted as cultural Heritage SawahluntoCity. [17]

There are two ways the government can do to encourage preservation, restoration and rehabilitation: first, develop policies and regulations to encourage the private sector to invest in the preservation of historic buildings (dynamic approach). Second, the private sector will not be able to make a profitable investment without government support, therefore, the government can create financial incentives and other types of subsidy (supportive approach).

Established a teamof cultural heritage experts Sawahlunto city [18] as a group of experts Preservation of various disciplines who have a Certificate of Competence to give recommendation establishment, grading, and the elimination of cultural heritage (Act No. 11 of 2010 Concerning the Cultural Heritage, Article 1 Point 13) , Old Town Coal Mine Heritage Sawahlunto designated as National Rating Size 89.71 Hectare 2014 Zoning Delineation and Old Town Coal Mine Sawahlunto as the Cultural Heritage through the National Rating Ministerial Decree of Education No. 345 / M / 2014.

## 3. Preparation Towards a World Heritage Sawahlunto

International organization PBB in charge of education, science, and culture is a UNESCO establishment of this organization is to support security by promoting education, science and culture. UNESCO is the only agency of the United Nations (UN), which has a special duty to protect the cultural heritage under the supervision of, an international effort to protect the creativity and diversity of cultures around the world. UNESCO efforts in protecting creativity and cultural diversity is to establish conventions which is one of the international law. [19]

In this case UNESCO would be responsible for protection and preservation of the cultures heritage of each country because of the potential to extinction, but to defend the civilized world. [20] UNESCO as a functional organization would have to be committed to this task. UNESCO has a role to protect historic objects which must be maintained by the UNESCO.

The role performed by UNESCO can be either technical assistance assistance from other countries and in accordance with his second protocol that states do convictions then UNESCO can cooperate with the International Criminal Court (ICC) in action against violations of historic objects. UNESCO therefore has an important role in the protection of historic objects that are in the Worldwide.

Through this institution, Sawahlunto hopes to become a world heritage city, [21] following the advice or direction of the zoning requirements consist of two zones, namely CoreZone (Core Zone), and Buffer Zone (Buffer Zone). The core zone is an area reserved for an effective protection against the Cultural Heritage of UNESCO World Heritage Committee, based on the Operational Guidelines for the Implementation of the World Heritage Convention. Buffer Zone is the area around the core area that have laws or customary provisions that applied to provide an additional layer of protection against cultural heritage.

The Old City of Coal Mining Sawahlunto with potential development and utilization, as well as sites or areas which need special management, [22] especially the area while in the process of world heritage Site or Cultural Heritage area of the old city of Sawahlunto coal mining of Sawahlunto vulnerable to the threat caused by natural factors and humans. Natural factors such as: Structural Geology (Fault), Land Movement

or Avalanche (Mass Movement) and Earthquakes, floods while the human factor can be identified in the form of population growth, with policy direction and pattern of development and infrastructure of the city, the activities of land clearing plan pattern and structure town hall, a lack of public understanding about cultural heritage preservation, mine explosions, fires and vandalism. [23]

In Law Number 11 Year 2010 on Cultural Heritage, in Chapter 1 General Provisions, Article 1, point 26 of Act No. 11 of 2010 on Heritage the zoning is the determination of spatial Site of Cultural and Regional Cultural Property in accordance needs. [24] Further in Article 72 governing the determination of the boundaries of the breadth and utilization of space within the site and the region on the basis of the study, whereas Article 73 Paragraph (3). [25] The zoning system can consist of a. core zone, b. buffer zone, c. development zone, and / or d. Support zone. Also in the same article in paragraph (4) explained that the comprehensive determination, layout, and function zones are determined based on results of studies with emphasis on opportunities to improve social welfare.

Regulatory Sawahlunto were collated and made by the Government of Sawahlunto city area are as follows: [26]

- 1) Sawahlunto Regional Regulation No. 02 Year 2001 About Vision Mission Sawahlunto.
- 2) Sawahlunto Regional Regulation No. 02 of 2010 Concerning Arrangement Old Town area.
- 3) Sawahlunto Regional Regulation No. 08 Year 2012 on Spatial Sawahlunto 2012 -2032.
- 4) Sawahlunto Regional Regulation No. 09 Year 2016 on the Preservation and Management of Cultural Property, Substitute Regional Regulation No. 06 Year 2007 on Management of Heritage Objects.
- 5) Sawahlunto Regional Regulation No. 14 of 2016 on the Establishment and Organization Structure of the regional (Department of Culture, Historic Heritage and Museums).
- 6) Mayor Regulation No. 31 of 2016 On Organizational Structure, Duties and Functions and Work Procedure Sawahlunto regional organization.
- 7) Sawahlunto Mayor Decree Number 84 Year 2007 concerning the Stipulation of Historic Areas, building, building, building of complex, largest and Features as Objects of Cultural Property.
- 8) Sawahlunto Mayor decree number 189.2 / 250 / Wako-SWL / 2014 September 29, 2014 regarding the Stipulation of Site and Heritage Buildings Sawahlunto.
- 9) Sawahlunto Mayor Decree No. 188.45 / 327 / Wako-SWL / 2017 on Stipulation of objects, buildings, structures and as a Heritage Site Sawahlunto.

Sawahlunto do inventory and escort heritage area through 36 (Thirty Six) Regulation of Heritage has been submitted by the Mayor of Sawahlunto and cultural heritage preservation Team Sawahlunto: [27]

- 1) Rule number 9 Sawahlunto city area in 2016 about the preservation and management of cultural heritage
- 2) Sawahlunto Number / 4 Year 2013 About Pmbentukan Organization and Administration of the Office of Museum And Historical Heritage
- 3) Sawahlunto Regional Regulation No. 1 Year 2010 About the Building
- 4) Sawahlunto Regional Regulation No. 2 of 2010 on the arrangement of the Old Town area
- 5) Annex Regulation No. 2 of 2010
- 6) Sawahlunto city local regulations number 14 in 2016 on the establishment and the development of regional
- 7) Mayor Sawahlunto Sawahlunto Mayor Regulation Number: ..... / ..... / ..... About the Building Management Plan and Environment Old Town area
- 8) Sawahlunto Regional Regulation No. 16 Year 2013 About the Plan Pembangunanjangka Length (RPJP) of City of Sawahlunto 2005-2025
- 9) Sawahlunto Regional Regulation No. 17 Year 2013 About the Medium Term Development Plan (Plan) of City of Sawahlunto Year 2013-2018
- 10) Sawahlunto Regional Regulation No. 1 Year 2010 About the Building
- 11) Sawahlunto Regional Regulation No. 2 of 2001 About Vision and Mission
- 12) Sawahlunto Regional Regulation No. 6 of 2007 on Heritage Objects
- 13) Sawahlunto Regional Regulation No. 12 of 2005 Concerning the Establishment of Organization Technical Implementation Unit Historical Remains On Tourism Office
- 14) Sawahlunto Mayor Decree No. 188.45 / 98 / Wako-SWL / 2017 on the Establishment of Cultural Property Expert Team Sawahlunto Year 2017
- 15) Sawahlunto Mayor Decree No. 188.45 / 74 / Wako-SWL / 2017 On Establishment of Nomination Document Preparation Expert Team World Cultural Heritage United Nations Educational, scientif And Cultural Organization Sawahlunto
- 16) Sawahlunto Mayor Decree No. 109 of 2006 Concerning Determination bangunan, Building, Building Complex, Site And Features For Budya heritage objects.
- 17) Sawahlunto Mayor Decree Number: 189.2 / 205 / Wako-SWL / 2014 Concerning Determination Heritage Building Site And Sawahlunto
- 18) Sawahlunto Mayor Decree Number 84 Year 2007 concerning the Stipulation of Historic Areas, Building, Building, Building Complex, Site And Features For Objects of Budya
- 19) Sawahlunto Mayor Decree Number: 189.2 / 139 / Wako-SWL / 2014 About Team Building Program Planning and Preservation Heritage Cities Sawahlunto
- 20) Sawahlunto Mayor Decree No. 188.45 / 30 / Wako-SWL / 2016 On Establishment of Space Control Team Pemangfaatan Sawahlunto 2016

- 21) Sawahlunto Number / 4 Year 2013 About Pmbentukan Organization and Administration of the Office of Museum And Historical Heritage
- 22) Sawahlunto city local regulations number 14 in 2016 on the establishment and the development of regional
- 23) Sawahlunto Regional Regulation No. 15 2013 Tentang Regional Budget Revenue and Expenditure for Fiscal Year 2014
- 24) Sawahlunto Regional Regulation No. 1 Year 2017 on the Implementation of Licensing Authority Head of Investment, One Stop And Labor Sawahlunto
- 25) Sawahlunto Regional Regulation No. 28 of 2013 On Translation of Duty And Function And Administration of the Office Historic Pbninggalan And Pemuseuman
- 26) Sawahlunto Regional Regulation No. 1 of 2014 on the Amendment of Regional Regulation No. 1 Year 2011 on Local Taxes
- 27) Mayoral Decree Number: 189.2 / 66 / Wako-SWL / 2011 Concerning Changes in Sawahlunto Mayor Decree No. 189.2 / 177 / Wako-SWL / 2010 Concerning the Establishment of Project Management Unit (PMU) Urban Sector Development Reform Project (USDRP) Sawahlunto
- 28) Sawahlunto Mayor Decree Number: 189.2 / 71 / Wako-Swal / 2011 Concerning the Establishment of Drinking Water Program Working Group and Environmental Health in 2011
- 29) Sawahlunto Mayor Decree No. 189.45 / 1201 / Wako-SWL / 2014 On Establishment of Cultural Property Expert Team Sawahlunto Year 214
- 30) Sawahlunto Mayor Decree No. 188.45 / 97 / Wako-SWL / 2015 On Establishment of Cultural Property Expert Team Sawahlunto 2015
- 31) Sawahlunto Mayor Decree No. 188.45 / 14 / Wako-SWL / 2016 On Establishment of Cultural Property Expert Team Sawahlunto 2016
- 32) Sawahlunto Mayor Decree No. 109 of 2006 Concerning Determination bangunan, Building, Building Complex, Site And Features For Budya heritage objects.
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Local Regulation of Sawahlunto city for Registration Team Heritage Sawahlunto city in 2017. "Ombilin Coal Mining Heritage of Sawahlunto" (Heritage Coal Mine Ombilin Sawahlunto) inclusion in UNESCO's World Heritage List Session of the World Heritage Committee All 43 in Baku, Azerbaijan on 6 July 2019. [28]

Effort and hard work and understanding of social change in the community and environmental planning process based preservation / preservation is part of an effort to recycle (revitalization) Sawahlunto who until now have natural resources of the remnants of mining activities. [29] The regional government managed to reform and development of various potential tourist attraction in Sawahlunto. Potential developed was not only about returns form of Sawahlunto as historic coal mining town through the old town revitalization program, but also will be followed by the development plans of various infrastructure facilities and infrastructure, such as the arrangement of the old town. [30]

#### V. CONCLUSION

1. Indonesian culture heritage is a culture solely owned by the Indonesian people have a diversity of local culture and are useful for science and identity of Indonesia so that the potential of the region should be the strength of the economic income for the people's welfare.
2. As the island countries would have been difficult to maintain the unity among the people, if we care to preserve, study, and preserve the legacy of cultural heritage's role in shaping the resilience of culture, especially as a filter on the intervention of foreign culture increasingly massive and our responsibility as a community together government, especially the younger generation should maintain and preserve and instill in the hearts of the cultural heritage, especially our nation's heritage of cultural heritage, so that our grandchildren can enjoy it.

#### VI. RECOMMENDATION

1. To preserve and protect the potential history on the culture heritage area in the respective cities and counties, should be the synchronization and harmonization of government policy no longer make policy simply by copying the laws reserve so that revisions to the government's policies or norms of legislation in whole cities or counties that have the potential to be the heritage area-based preservation ;
2. Dutyand authoritycentral and regional governments are always coordinated with regional leaders, provincial, district and city to accelerate the protection and preservation of heritage cultural heritage to be more effective, efficient and keep not repeated efforts to destruction, vandalism or eliminate the legacy of cultural heritage especially the area spread cultural heritage throughout

Indonesia so that the history of the city or county will remain stable also known by the next generation.

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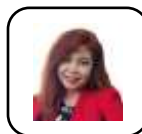
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