A PRELIMINARY SURVEY OF ORAL TRADITIONS AS HISTORICAL SOURCE IN THE STUDY OF NEGERI SEMBILAN

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Synopsis

The history of Negeri Sembilan cannot be understood entirely on the basis of written sources alone, but must be supplemented by certain oral traditions, so as to enable the historian to get a better grasp of the subject. The historical narrative and perbilangan contain information about the evolution of the Negeri Sembilan polity and about the origins of its socio-political and economic organization. The laws and constitution are all preserved in the form of oral traditions. This paper is merely an introduction to a broader survey of oral traditions and their role as historical material for studying the history of Negeri Sembilan.

Sinopsis

Sejarah Negeri Sembilan tidak mungkin difahami keseluruhannya berasaskan bahan-bahan tertulis sahaja. Bahan tertulis ini perlukan keterangan tradisi lisan untuk penjelasan yang lebih tepat. Naratif sejarah dan perbilangan mengandungi keterangan tentang evolusi sistem pentadbiran, sosio-politik dan ekonomi yang diamalkan. Undang-undang dan perlembagaan kesemuanya terdapat dalam bentuk tradisi lisan. Kertas ini merupakan suatu pengenalan kepada kajian lanjut ke atas tradisi lisan serta peranannya sebagai bahan bagi kajian sejarah Negeri Sembilan.

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Those engaged in studying the history of Negeri Sembilan usually find themselves confronted with two main different classes of material: written sources, which are mainly colonial records, official reports and previously published studies, ¹ and oral sources, which are mainly oral traditions. There is a natural tendency for historians to confine themselves mainly to written materials, and to use oral sources only

¹Some of the publications are based on oral traditions collected by the authors and some are observations recorded by sojournes. Most of these are studies done by colonial officers such as Martin Lister, A. Caldecott, R. O. Winstedt and others. Gullick (1949) also used oral traditions for his work on "Sungai Ujong". Records of early sojourners include the Hervey Papers which contain reports on Jelebu, Johol, Seri Menanti, Rembau and Sungai Ujong.

if no written materials are available. Written records have faults of their own, notably the mesmerising effect which can be achieved by an arresting statement once it has been recorded in print. The more frequently a statement is recorded the more authoritative it becomes. George Hall, British Secretary of State for the Colonies, for example, discoursed to the House of Commons on reasons for the Batu Kikir and Padang Lebar racial incidents of November, 1945. His claim that "400 Malays killed 40 Chinese, of which 35 were women and children," (Parliamentary Debates 1946: 31 – 32), is contrary to eyewitness accounts, as well as proto-testimonies (accounts of those involved). But both his statement and figures were accepted uncritically and repeated by almost every subsequent writer on racial disturbances in Malaya.² In another example, Negeri Sembilan is consistently referred to as a 'sultanate' (Labi 1969). This was never true and is not now the position.

In most cases, written documents and oral accounts can be said to be interdependent. Normally, neither class is capable of standing by itself; the written and oral sources have to be taken together and used to correct, check, and amplify each other. Oral sources such as the oral tradition at times provides more accurate historical detail than written sources. An attempt to substantiate these assertions is made in the following pages. In this paper oral traditions found in Negeri Sembilan are examined, and their role as historical source shown. The material was obtained from field-work in Negeri Sembilan in 1977 and 1982, and from other sources as indicated.

The term 'oral tradition' may be defined as testimonies of the past which are deliberately transmitted from mouth to mouth. This testimonies are distinct from rumours, which always bear the character of sensational 'news,' and which are not deliberately transmitted from generation to generation in the same way. On the other hand, eyewitness accounts or proto-testimonies are not oral traditions, for in this case there has been no transmission. The oral character and the transmission from the original eyewitness through a series of testifiers by hearsay to the present day are both essential characteristics of oral tradition.³

²Sec (Purcell 1967: 268 — 269, Othman Nayan 1969 and Goh Kim Guat 1960) Oral statements by eye witnesses regarding the casualties and reasons for the Batu Kikir and Padang Lebar racial incidents can be seen in (Mohd Ali Hassan 1978).

³The definition used in this passage is strictly from the historical point of view, that is traditions that have weight as historical evidence, and clearly not that of the folklorist or of scholars in other disciplines.

Based on historical evidence, the oral traditions usable as historical materials in Negeri Sembilan could be classified into three categories. They are the historical narratives, the perbilangan (customary or traditional saying), and received traditions. Historical narratives consist of accounts that approach the quality of a written work of history or literature. Often memorized and recited word for word, they are, in effect, compositions prepared by someone in the past. As such, they have many of the characteristics of a secondary historical account, one that is considered a primary source simply because the original source is lost. Traditions of this kind include narratives on the origins of official institutions and the state, genealogies, the origins of customs, and the like. In relation to the structure of Negeri Sembilan society, the historical narrative traditions may be classified as tribal history, village and family history or royal history. Tribal history recounts the migrations and the formation of chiefdoms, village and family history tell how villages were formed, how clans spread through the state and split themselves into sections; and royal history describes the evolution of the institution of the ruler through time.

This category of source not only preserves history, but very often also serves as the basis for legally binding decisions. Historical narrative tradition, for example, was relied on to settle the 1980 dispute over the choice of a new Undang of Jelebu (ruler of adat district),⁴ and the controversies over the election of the Dato Muda of Linggi in the 1930's and 1960's. In both cases, historical narrative traditions were used not only in examining and debating the qualification regarding ancestral eligibility of the candidates, but also in arguing the constitutionality of the procedures or system imposed.

The second category, the perbilangan, characteristically contains the traditional statements of adat (customary law). These sayings are confined to the adat districts of Negeri Sembilan and the Naning district of Malacca, and are expressed in the form of metrical stanza. The perbilangan, according to adat perpateh, were composed by Dato Perpateh Nan Sebatang, the ancestor who was considered the law-giver and founder of the adat. Sometimes known as kata pusaka, the perbilangan are actually a system of law and constitution that has been passed on by word of mouth to the present generation. The perbilangan states:

Berlulus berlembaga Berturas berteladan Nan diucap dipakai

⁴See (Gullick, 1981).

Nan dipesan dibiasakan Turun temurun daripada nenek moyang.⁵

Their poetic composition allows the *perbilangan* to be easily remembered and referred to when dealing with legal matters. Further, according to traditon, *adat* laws could not be altered or distorted; should there be any distortion, the *adat* would cease to function. Precisely because of their poetic form, the *perbilangan* have escaped distortions.

As a system of law and constitution in the precolonial days, the *perbilangan* can be used in three different ways: as a constitution; as a code of law; and as a form of general orders. The sayings act as a constitution when dealing with the political and administrative structure, the executive and judicial power of the various traditional posts, and even individual rights and obligations. For example:

Raja sekeadilan Penghulu seundang Tua selembaga Waris sepesaka Tali pengikat daripada lembaga Keris penyandang daripada Undang, Pedang pemancung daripada keadilan.⁶

As a code of law, all matters regarding inheritance, land tenure, and distribution of estates, are referred to the inheritance law, *Hukum Harta dan Pusaka*. The *adat* regulates that:

Silaki-laki menyandang pusaka Si perempuan yang punya pusaka Sah batal kepada sikedim Kata bercari kepada warisnya

⁵The elders give the law
Tradition preserves the law
Judgements pronounced and decisions used
Counsel given and custom practised
Are passed down from the ancestors

⁶The ruler executes justice
The chief carries out his law
The tribal headman his ancestral rights
The inheritors their entail
The lembaga investigates
The kris is from the undang
The executing sword from the justice.

Pusaka tidak boleh dijual beli Kecuali mayat terbujur ditengah rumah Gadis gadang tidak berlaki Rumah gadang ketirisan Membangkit batang terendam.⁷

Familly laws regarding marriage, kinship and divorce and status of husband are also covered in the perbilangan known as the *Hukum Tentang Berkedim*, *Hukum Tentang Perceraian*, *Hukum Tentang Perkahwinan*, *Hukun Tentang Orang Semenda*, and *Hukum Tentang Keluarga Asas*. Laws regarding crime and punishment are referred to as the *Hukum Jenayah*.

Parts of the *perbilangan* could also be classified as a set of general orders that stipulate what the adat official should or should not do in the performance of his duties. The *perbilangan* states:

Pemimpin adalah lambang, Tumbuhnya ditanam, Tingginya dianjung, Besarnya diampu, Pengadilan jangan ibarat limau masam sebelah, Amanah jangan menjual anak-buah Tidak boleh memerahkan muka Tidak boleh menghentam tanah Tidak boleh mengandar dan menjunjung diatas kepala.⁸

Among the oral traditions of Negeri Sembilan the *perbilangan* are the most authentic historical sources. However, they are also the most difficult material to interpret. The language and dialect in which the tradition is narrated differ from standard Malay. Further, the symbolic terminology, the sociopolitical groupings, the matrilineal lineage, and the system of the *adat perpateh* must be fully understood before

The man inherits the traditional post
The women inherits the tribal property
Caveat and rights of ownership
is to be determined by the clan
Sale is to be justified only for burial,
marriage, maintaining the ancestral house and expenditures to
claim traditional posts.

⁸He should not make decision without consulting his subordinates He should not be corrupt He should not show his temper He should not carry loads on his shoulder or head.

the perbilangan can be used as source material. As an example, why is property tribal rather than personal? A fundamental principle of the adat is that the social unit is not the family but the tribe. Therefore, all rules affecting persons tend to maintain the integrity of the tribe, and all rules affecting property are designed to conserve land for the tribe. From this tradition arose the custom allowing only women to inherit ancestral property.

A similar difficulty arises in using the Tambo Minangkabau and Undang-undang Sungai Ujung. Both are written digests, oral traditions that have been put into writing. The former is the tradition which trace the history and origin of the Minangkabau people. The latter, written in the late 19th or early 20th century, consists mainly of stanzas setting out local adat rules relating to ownership, inheritance, and land matters in general. The same problem applies in interpreting the relative statutes and constitutional provisions found in the Customary Tenure Enactment and the Constitution of Negeri Sembilan. An extreme example of this, which appeared as recently as 1964, is noted below:

When the westerner looks at the customary laws of the east, he may see it blurred; the kathi, trained in the ways of religion and immersed in Arabic culture may find it far too worldly for his sympathetic understanding; and and one does not learn the rules of Naning games in London's Lincoln's Inn Fields. The only persons who can be expected to have a clear understanding and a proper appraisal of customary law are the traditional leaders of the community. (Minattur 1964: 27)

As a matter of fact it is impossible to study any history anywhere if one is not acquainted with the culture of the people concerned, and if one cannot understand the sources in the original languages in which they are written or spoken. With regard to the study of oral traditions, the phenomenon of oral tradition must first be studied as an aspect of culture. There are organic bonds which link oral tradition to the rest of the the culture, and these must be probed in order to assess the influence of culture on every testimony. Only then can the real value of the sources be judged. In the case at hand, to use the perbilangan as historical material is difficult if one is not throughly acquainted with adat perpateh. Knowledge of the Malay language is also essential for working with original source materials. It is important to investigate how the phenomenon arose and what its function was in the context of adat perpateh in Negeri Sembilan.

 $^{^9\}mathrm{Under}$ these statutes all customary dealings are subject to the *Hukum adat*.

The third category of oral material, received tradition, poses still another set of problems for the historian. This category consists of material concerning the period of time before the memory of men still living. It is therefore a received tradition. It differs from the other two categories of traditions in its lack of organization. The ideas and information have been passed down from an earlier generation, but the words and structure of the narration have not. Each narrator may give his own account, often in a different way each time he gives it. Nor is he likely to be a professional performer, judged by the quality of the performance as well as by the accuracy of his memory. The most striking examples are the legend of Dato Perpatch Nan Sebatang. myths regarding names of places, and other prose narratives and stories about why only women are allowed to inherit harta pusaka. Unlike the 6ther two categories, these traditions are handed down without any control on the accuracy of their transmission. They are also found to have undergone a considerable degree of distortion. These stories have the characteristics of folklore and are therefore of questionable use as historical material. Folkore, while being oral and traditional in nature, also exists for different purposes; it is functional and 'prelogical' (Bruvand 1968: 41 and Carvalho-Neto 1965: 70). Nevertheless, a number of ethnographers and folklorists claim that this category is employable as historical information, provided it is used discriminately, and not as the sole source. It should be supplemented by other materials, such as ethnographical, archaeological, and written resources (Dorson 1972: 99; Lowie, 1917: 161; Vansina, 1965: 170).

The credibility of the first two categories lies in the fact that the narrators are those who have held traditional positions in society. Oral tradition collected from the Undang, Penghulu, Lembaga and Buapak, in Negeri Sembilan, demonstrates this. The testifiers are able to recite traditions regarding their own clans, constitutions of their own territories, origins of the various institutions, the numerous perbilangan, and even the constitution of the state. These are people who are considered to have authority on the traditions. Also they no longer hold political, executive or judicial power in the bureaucracy. But their roles in matters regarding adat, such as the administration of customary land, ¹⁰ the election and installation of the Yamtuan, ruling chiefs or any traditional institutions, ¹¹ or matters regarding

¹⁰The powers and roles of the traditional chiefs in the administration of customary land are stated in both statutes — Customary Tenure Enactment Cap. 215 and Small Estates (Distribution) Ordinance 1955, provisions under Part III.

¹¹See Negeri Sembilan Constitution of 1959.

marriage and divorce, had compelled them to learn the various traditions. The holder of a traditional position of necessity, must master the *adat* traditions, especially the genealogies of his institution and the *perbilangan* or *hukum adat.* Without this knowledge the chief would not have been able to cary out his adat duties.

Some of the traditions, even though still in their oral form, are found to be similar to written documents. The content of the perbilangan recited by the adat chief is similar to the written Undang-undang Dua belas and Undang-undang Sungai Ujong. The similarity is a proof that the perbilangan, although in the oral form, could still maintain its authenticity or could not be easily distorted in the process of transmission.

In comparison, historical narratives are likely to be distorted. This could happen either due to the weaknesses of memory ¹³ or perhaps conscious falsification, i.e., distortion done with a purpose for legal interest, prestige, or for various other reasons. ¹⁴ A clear example of such distortion can be seen from traditions regarding the institution of the Dato Muda of Linggi. ¹⁵ There are two contradictory traditions regarding the history of Linggi and the institution of Dato Muda. According to one tradition, Linggi had from earlier times been under the jurisdiction of the Undang of Sungai Ujong, and the Dato Muda had always been a vassal of the Undang. It is said that the first two rulers bore the title 'penghulu' and that Mohamad Katas, the third successor was the first to be called 'Dato Muda', because for many years he deputised for his aged father-in-law and predecessor, Abdul

¹²There is no formal training or special school like the training of the court bearers or griots of Africa. Among Azrec, Inca, Polynesian and African societies, schools were set up for the purpose of giving systematic teaching on classical traditions (see Vansina, 1965). In the case of the traditions in Negeri Sembilan, one ruling chief stated that he studied the *perbilangan* and other traditions at his own initiative when he was elected as the Dato Tan Mas in 1948. (Interview with Abdul Majid bin Wahid, the incumbent Undang of Johol in August 1977).

¹³ Failure of memory may bring about omissions and confusion and indirectly, explanatory interpolations — in the successive testimonies of a chain of transmission. As this may occur in all kinds of oral tradition, it is necessary to find out the degree of distortion that any particular tradition may have undergone through failure of memory.

¹⁴Some scholars of African history have recognised the possibility that a society or a group within a society, can distort its historical traditions in response to the felt need to assert equality with, if not superiority over, a neighbouring or threatening group (Stevens 1975: 185).

¹⁵ This assumption is based on textual comparison made on the traditions collected regarding the origins of Linggi and the institution of the Dato Muda.

Rahman on whom the Dato Klana had conferred the title of 'Dato Linggi'. As such, the system of election for the post of Dato Muda is similar to that in matrilineal society.

Another tradition claims that Bugis settlers at first settled at Kampong Penajis, Rembau. Somehow they refused to accept the adat perpatch which the Undang of Rembau tried to impose on them. To free themselves from the adat, the leader. Dato Srilah and his followers, sought permission from the Undang to open a new settlement which is today known as Linggi. Linggi was formerly parts of the territories of Rembau and the luak¹⁶ of Sungai Ujong, or, as described in the perbilangan, 'beremak ke Rembau berbapa ke Sungai Ujong' (literally means mother to Rembau and father to Sungai Ujong). The Undang of both Rembau and Sungai Unong had given their recognition to this Bugis settlement. The tradition also claims that all the chiefs of Linggi had been appointed in accordance with the adat of Linggi. Dato Muda was not considered a vassal of the Dato Klana of Sungai Ujong, but was merely said to be responsible to the Undang. Within the territory of Linggi he had been supreme authority and there was no appeal from his decisions which were final. As the perbilangan which describes his autonomy puts it, he was:

> Bergajah tunggal Memancung putus Meliang tembus Memakan habis Membunuh mati.¹⁷

The controversy started in 1932, when the matrilineal system of electing the Dato Muda of Linggi was imposed by the Undang of Sungai Ujong, Dato Kelana Maamor bin Kassim. He invented a system of clans (Perut Solok, Perut Hilir, and Perut Pengkalan) based on matrilineal rules of descent. The mode of appointment of a Dato Muda also follows the model of the adat perpateh. Under the new system, the waris (members of the clans) may appoint the Dato Muda of Linggi if they can achieve unanimity in their decision. If not, the power of

¹⁶Luak refers to the customary districts. Traditionally there were nine luaks in the constitution, although the actual number has varied at different historical periods.

¹⁷He who rides the elephant is alone.

He who executes, beheads

He who spears, spears through

He who consumes, consumes all

He who slays, kills.

appointing the Dato Muda passes to the Undang and his subordinate, the Dato Bandar, jointly.

The then British Resident, J. W. W. Hughes, who was not supposed to interfere in matters of Malay religion and custom, lent his support to the Undang's claim of jurisdiction. The traditions convinced most of the Linggi people that the arbitrary imposition of the matrilineal system of electing Hassan bin Pok to the post of Dato Muda in 1932 was diametrically opposed to the true adat of Linggi. There was no clan system and no rules of exogamy. The claim to the existence of the three clans could not be supported by the oral traditions, thus, the claim was considened to be artificially invented. Despite many appeals made by the Linggi people to the Dato Kelana, Yamtuan, and successive British Residents, in the pre-independence days for a restitution of their true adat, the Dato Kelana and his successor turned a deaf ear to their appeals. After the death of Dato Muda Hassan in 1936, three subsequent chiefs, Dato Muda Syed Ahmad, Yahaya and the incumbent Dato Muda Zaharin were considered to be arbitrarily appointed by the Dato Kelana-supposedly in accordance with the matrilineal system.

What is of concern here is that the controversy originated from unclear traditions. One of the two traditions must have undergone distortions, either deliberately or due to the memory failure. The Dato Kelana referred to the first tradition in arguing the constitutionality of the procedure which he imposed. It is also because of his belief in the first tradition that the Dato Kelana arrogated to himself the function of deciding what the true adat of Linggi should be. On the other hand, the Linggi people who opposed the arbitrary imposition of the matrilineal system of electing the Dato Muda referred to the other tradition which claimed that all the chiefs of Linggi had been appointed in accordance with the adat of Linggi. Both traditions are of historical value. On the other hand such traditions require to be treated with some caution, since its bearers preserve no written documents relating to their history. Their memory is fallible, and the version of past event they give is liable to be coloured by self-interest and reticence. In such cases deeper study must be conducted by the historian to determine the original text, its authenticity and credibility as a historical source.

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Despite certain weaknesses to be found in the three categories of oral traditions, their role as historical sources in studying the history of Negeri Sembilan nevertheless cannot be put aside. The use of these sources would enable the historian to write a history of migrations,

origins of villages and clans, the various traditional institutions, and social, political and economic evolution. Only by adding research from Negeri Sembilan oral traditions to existing written documentation can the topic be grasped most clearly. The following will serve as a model to demonstrate.

Maria Labi in her re-analysis of Negeri Sembilan socio-political organisation (1969) confines herself to historical data drawn primarily from Gullick (1958), Josselin de Jong (1951) and Swift (1965). Nowhere does she mention any part of the extensive body of adat literature mentioned above. Pertaining to the status, power, and authority of the ruler, it is clear that one has to refer to the oral traditions, because these are the original sources of the written constitution. The written constitution stipulates the prerogative powers and jurisdiction of the Yamtuan. The oral tradition, however would give explanation as to why such an adat constitution was formed, and that would also give more precise interpretation of the written sources. The state constitution's definition of 'ruler' includes not only the Yamtuan but also the four Undangs (Negeri Sembilan constitution 1959: Art. LXXIV). Interpretation of this article is assisted by referring to the oral traditions. According to the historical narrative, in the pre-colonial period the Undang was an independent ruler in the sense that there was no superior or external constraint on his authority in his luak. The Yamtuan is not vested with powers over the adat society. He cannot interfere in matters concerning the luak unless requested to do so. The perbilangan state that:

> Ada pun raja itu tiada bernegeri Dan tiada bercukai kharajat Melainkan berkeadilan saja serta permakanannya duit sesuku, beras segantang, niur setali. Raja menobat di dalam alam Penghulu menobat didalam luak Lembaga menobat di dalam lingkungannya. 18

¹⁸In truth the ruler is without a state Without authority to levy taxes

He is only the symbol of justice

His sustenance is from the money of the tribe, gantang of rice and a 'bunch' of coconuts.

The ruler is king in his local residence

The chief executes his authority in his luak

The lembaga executes his authority in his tribe.

The credibility of the oral tradition can be amplified by clause 3 of 29 April, 1898, an agreement which reads,

"Now that we have been installed as Raja of Negeri Sembilan. We, according to the old constitution cannot interfere in the customs of the country or in Mohammadan Law and every matter that arises in each state (luak) is to be settled in consultation with the British Resident and is not to be subject to Our (Yamtuan's) Command' (Maxwell and Gibson, 1924: 65).

Under Clause 67 of the 1959 constitution, the old adat stands unchanged. It was declared that "The ancient constitution and ancient custom shall continue as heretofore". Thus, the Yamtuan is different from the Malay sultans as regards his status, functions and authority. Negeri Sembilan cannot be referred to as a 'sultanate.' This was never true and is not now the position. The Islamic connotation of 'sultan' were borned by the Undangs. This still persists in that they and the Yamtuan are formally associated in the Negeri Sembilan Constitution in a joint responsibility for the welfare of Islam.

As the maxim of a non-historian goes "Written sources are better than oral ones. For the practitioner, sources are sources. They can be good or bad, but there is nothing intrinsically less valuable in an oral source than in a written one. The only advantage of a written source is that it is at the same time an 'archaeological' document. The history of Negeri Sembilan especially cannot be understood fully on the basis of written sources alone, but must be supplemented by the oral traditions — the historical narratives and the perbilangan. On the other hand, oral traditions of the third category referred to above (received tradition) are probably far less valuable than the written source. Much depends on the nature of the particular source itself, its information, its falsification, and other shortcomings. In the case of the examples cited, it is obvious that written and oral suorces are interdependent. At times oral traditions provide more accurate historical detail than the written sources.

Most researchers assumed that Negeri Sembilan lacked rich historical traditions; and as such they limited their research to the colonial period for which documents exist. And yet, this preliminary survey has shown that the people of Negeri Sembilan possess complex traditions which are invaluable for reconstructing their history. As has been proven elsewhere oral traditions have been very valuable for reconstructing the history of non literate societies. This observation has relevance to Negeri Sembilan. Oral traditions constitute the major source for studying periods before colonialism. They contain

information about the evolution of the Negeri Sembilan polity and about the origins of socio-political and economic organizations of the state. The constitutions of the various sukus, luaks and the state; the rules and regulations regarding the everyday life of an individual, socio-political institutions and economic interactions are all preserved in the form of the oral traditions. Lists of leaders and genealogies of different institutions have been preserved in traditions which are primary sources for reconstructing a chronology of Negeri Sembilan history.

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