

## **FORESTRY CONFLICT IN INDONESIA : ANALYSIS OF HISTORICAL SOCIOLOGICAL FACTORS CONFLICT BETWEEN SOCIETIES AND CORPORATIONS IN PELALAWAN REGENCY RIAU PROVINCE**

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### **Abstract**

This study analyzes the factors that contributed to forestry conflicts in Pelalawan Regency, Riau Province. Forestry sector conflict is common in Indonesia. One of them is in Pelalawan Regency, one of the districts in Riau Province where there are many conflicts between the community and the company. The conflict is the result of the operation of many Industrial Plantation Forest (HTI) companies in the Pelalawan Regency. Many of the HTI Company's concession areas overlap with land claimed by communities for generations. This study uses a qualitative method with a case study approach. Qualitative research with Case Studies can provide sharper and deeper data access. The real cause of the emergence of conflict can be easily traced by looking at it from the historical and sociological aspects. This aspect can tell about the root of the conflict which then becomes exploded later on. In general, two frictions occur in cases of conflict in the community. This happens between the local community and the migrant community. As an entity that relies on forest resources to meet their daily needs, local people also naturally feel disturbed by the presence of the Industrial Plantation Forest Concession Company (HPHTI), which not only plunders their forests but also brings a new community, the migrants. Local people who have rarely interacted with migrants have naturally become resistant to the presence of new people, which is certainly a new culture. In the Pelalawan district itself, the majority of migrants come from Java Island. On the one hand, the migrant community, in general, has started to become established economically because their income as an HPHTI company employee is promising in terms of income. Coupled with certain skills that make them able to "be creative" in increasing the coffers of his income. This unequal economic condition causes social jealousy. Local people feel colonized in their area. The company's presence has been nothing but a nuisance to them.

**Keyword:** Forestry conflict, Historical sociological factor, Society and Private

### **1. INTRODUCTION**

At the beginning of the New Order Government, the Government issued a regulation namely Law Number 5 of 1967 concerning Basic Forestry Provisions to accommodate the presence of foreign capital to Indonesia. This law is the main basis for the presence of basic instruments regarding investment in the forestry sector in

Indonesia. then, to provide technical instruments related to forestry sector exploitation, the government made PP No. 21 of 1970 juncto PP No. 18 of 1975 concerning Forest Concession Rights (HPH) and Forest Product Collection Rights (HPHH). This rule then became a milestone in the granting of concession licenses to companies, both foreign, private and government-owned to exploit forests on the islands of Sumatra, Kalimantan, Sulawesi, and Papua.

In the Regency itself, the Forest Industrialization policy has led to conflicts that continue to this day. Land use conflicts between communities and companies holding industrial timber concessions (HPHTI) in Riau in general and in Pelalawan Regency in particular have begun since the issuance of the Minister of Forestry's Decree on Agreement on Forest Use (TGHK) in 1986 in Riau Province, which has been established as a Permanent Production Forest area.

Max Weber believes that conflicts arise from social stratification in society. Each stratification is a position worth fighting for by humans and their groups (Susan 2009: 42). As a social reality, society will never be sterile from a state of conflict, Coser (1956: 78) states that conflict and consensus, integration and division are fundamental processes that are albeit in portions and mixes. This paper attempts to describe how forestry conflicts between the community and the private sector in Pelalawan District can occur, especially if viewed from the Sociological-Historical Aspect of the Roots of Conflict. The research in this study uses a qualitative research method. According to Denzin and Lincoln in Creswell (2007: 36) qualitative research consists of a series of material interpretation practices that make the world visible. This paper is expected to contribute to aspects of studies relating to forest policy and forestry conflicts in Indonesia.

## **2. INDUSTRIAL FORESTRY**

Pull it any longer, forest management in Indonesia has existed since the days of the Old Order. During the Old Order, forest planning and management were only planned and implemented in Java, known as teak forest management. Whereas outside Java is not as advanced as in Java, one of the obstacles is because the demand for jungle wood is not yet high and infrastructure is not adequate. (Manado Forestry Research and Development Center, 2014).

The New Order Era focused on an inventory of natural resources that could be immediately exploited as a strategic source of state revenue. One of them is a forest, especially natural forest which is found outside of Java Island. At the same time, the government prepares legislation and its derivative regulations as a legal basis for the entry of investments. Consequently, Law No. 1 of 1967 concerning Foreign Investment (PMA) was issued, Law No. 5 of 1967 concerning Forestry Fundamentals (UUPK), and Law on Identification of Obstacles to Strengthening Forest Areas in Provinces concerning Domestic Investment (PMDN), then Government Regulation (PP) Number 21 of 1970 concerning Forest Concession Rights (HPH) and Forest Product Collection Rights (HPHH) (Suwarno and Situmorang, 2017).

The result was that in the 1970s the forestry sector contributed the second largest foreign exchange after petroleum. HPH concessions granted without auction procedures between 1967-1980 were granted to 519 HPHs with an area of 53 million hectares (Kartodihardjo & Jhamtami, 2006). In 1989 572 HPH license units controlled 64 million hectares of Indonesia's production forests (Awang, 2006). In Riau Province alone in 1975, there were 27 HPHs with a concession area of 2.65 million hectares. In 1977 it increased to 42 units with an area of 4.21 million hectares. Then in 1979, it increased again to 59 units with a concession area of 5.12 million hectares (Riau Forestry Service, 2008).

Entered the era of the reformation in 1998, there was a reorganization of the life of the nation and state by conducting constitutional reforms, legislative reforms, and bureaucratic reforms. As a result of legislative reforms, many of the New Order's laws and regulations were replaced and adjusted to the spirit of reform. One of them was revoked by Law Number 5 of 1967 concerning Basic Forestry Provisions, which was replaced by the enactment of Law Number 41 of 1999 concerning Forestry (UUK) (KPH KemenLHK, 2014). Since the Reformation Era, the development and management of forests have faced new challenges. There is a dilemma in forest policy. On one hand, the Central Government is considered to dominate decision making in forest management. However, on the other hand, when the district and its people were given wider opportunities to manage the forests in their area, in some areas there were explosions in granting small-scale concession licenses which resulted in an increased rate of forest destruction. This was proven, during the years 1997-2000, at the beginning of the era of regional autonomy, the rate of forest destruction increased from 1.87 million hectares to 2.83 million hectares due to the euphoria of reforms that caused massive deforestation. However, from 2002 to 2005 the rate of forest destruction has begun to fall to 1.18 million hectares per year (KPH KemenLHK, 2014).

### **3. HISTORY OF CONFLICT BETWEEN PEOPLE AND CORPORATIONS IN THE DISTRICT OF PELAWAN**

In 1997 Minister of Forestry Decree No. 137 / Kpts-II / 1997 dated March 10, 1997, Regarding the Granting of Concessions for Industrial Plantation Forests (HPHTI) Over a Forest Area of ± 235,140 Ha, To PT. Riau Andalan Pulp & Paper (RAPP) and Sinar Mas Group (Sinar Mas Group), which are in the regions of Siak, Pelalawan, Kampar, and Kuansing. In Pelalawan District, based on the Final Report on the Study of Natural Resource Potential in Pelalawan District (2009: 70) in 2008, the area of Industrial Plantation Forest was 429,070.97 hectares. However, within the HPHTI area, there are areas of several villages, community plantations, ulayat areas. Even though the forest area has been managed and occupied by the community, long before the Forestry Minister's Decree on the granting of HPHTIs to 2 (two) large companies that are members of the Sinar Mas Group and APRIL Group.

Community demands for guarantees for the rights to plantation land, villages, and forests. Their livelihoods have also been explicitly regulated in regulations, as stated in point 4 points 1 of Minister of Forestry Decree No. 743 / Kpts-II / 1996, Decree of the Minister of Forestry to PT Arara Abadi and No. 137 / Kpts-II / 1997, To PT. RAPP, which reads "If within the HPHTI area there island that belongs to, villages, fields, rice fields or has been occupied and cultivated by third parties, then the land is excluded from the Company's HPHTI working area. Furthermore, in point 4 points 2 is mentioned; if the land referred to in paragraph 1 (one) is intended to become an HPHTI area, the settlement shall be carried out by the company holding the HPHTI with the relevant parties under applicable regulations. If only the company and the government are consistent with the legal provisions under the Decree of the Minister of Forestry, the issue of land conflicts between the community and the company can be resolved peacefully.

Conflicts in land use arise because of differences in perceptions between several parties regarding land use. The different perceptions referred to in this conflict become the basis of action for each party in carrying out land use. Land conflict in Riau Province is a problem that almost occurs in all regions and this conflict is a big problem that is difficult to solve. The impact of land-use conflicts that have not been resolved to date is the incomplete preparation of Riau's Provincial Spatial Plan (RTRWP). This is due to the absence of a meeting point in the settlement of land status. Conflicts that occur in land use have many dimensions, both legal, socio-economic and political. So to resolve the conflict it is necessary to map the conflict to the root of the conflict problem. In resolving these conflicts, information is also needed on how to resolve them in different cases, whether the legal, social or political approaches are used as a basis for conflict resolution.

### **4. TRACKING CONFLICT ROOTS: HISTORICAL SOCIOLOGICAL-FACTORS**

The real cause of the emergence of conflict can be easily traced by looking at it from historical and sociological aspects. This aspect can tell about the root of the conflict which then becomes "exploded later on. In general, two frictions occur in cases of conflict in the community. This happens between the local community and the migrant community Local people are a group of people who have lived in an area for a long time and are usually homogeneous. This single custom and tribe make it less likely to disagree or even friction between members of the community. The local community is a unit that is difficult to be released from the forest. Forest for them is a source of livelihood that is very meaningful. This habit has long been passed down by their ancestors to manage various forest products to make a living.

Over time, the presence of companies holding HPHTI licenses began to disturb their lives. The New Order era policy indeed makes the forest as a source of state revenue. Forests can provide substantial foreign exchange for Indonesia, especially at the time when the development agenda was being encouraged by the government. The presence of the company certainly brings a large number of workers. But almost the majority, the workforce comes from outside, not from the local community. So that the presence of outside laborers gave rise to a new category of society commonly referred to as migrant communities. Not infrequently, the migrant community then settled and settled into families and gave birth to offspring. The number is increasing from year to year to make these migrant communities stronger.

As an entity that relies on forest resources to meet their daily needs, local people naturally feel disturbed by the presence of HPHTI companies which not only plunder their forests but also bring new communities, namely migrants. Local people who have rarely interacted with migrants have naturally become resistant to the presence of new people, which is certainly a new culture. In the Pelalawan district itself, the majority of migrants come from Java.

The existence of the forest in their village suddenly began to be threatened. The majority of the community's behavior was gardening, farming, looking for quality wood, looking for sialang honey, fishermen in the river.

The results of an interview with Pulau Muda Village Community Leaders namely Atan Bandit on July 1, 2017, at a private residence, it was said that:

“We used to be happy that our forest was managing by not destroying it and taking what was inside of it. If the company just brushes everything. We used to be able to easily enter and exit the forest. Our forest is large, we have a lot of honey, and we have lots of fish. Back then we together guarded the forest. Now the company is destroying our forest. We are sad”

Along with the reduced space for them due to the extent of permits granted by the government to HPHTI companies. Limited space, reduced income and increased people in the local community caused tremendous unrest. Local people began to feel squeezed and could not do much apart from having to accept increasingly difficult conditions. This condition accumulates continuously so that at one point it explodes and causes conflict.

On the one hand, the migrant community had initially started to become established economically because it spoke as an HPHTI company employee promising in terms of income. Coupled with certain skills that make them able to "be creative" in increasing the coffers of his income. Economic conditions that cause social jealousy. Local people remain colonized in their area. The presence of the company does not produce anything that means only adds to their difficulties. The results of the interview with Rustam Bindu on July 3, 2017, at a private residence, said that :

“The company is bringing in workers from outside. Mostly from the island of Java. We who are confused here are looking for money. We have taken the forest, we are not given work. Poor our lives. The migrants can be richer than we are native here. We feel jealous because they prosper, whereas we are increasingly destitute”

These conditions are the things that are the root of the problem that builds the conflict. The condition of the community that was previously peaceful and peaceful, especially in terms of economy, began to be disrupted by the presence of HPHTI companies, which was followed by economic progress obtained by the migrants. Tjahjah in the area itself is a psychological expression that is embedded in the minds of local communities.

On the one hand, forestry management that has been decentralized is expected to be able to become a new source of life for the local community to work in the company or hope for an increase in Regional Original Revenue (PAD). Not to mention the issue of community empowerment, which for the most part has been managed by the district / regional forestry service, and is certainly expected to provide direct positive value to the local community. But on the way there are concerns among activists of community empowerment institutions in the area of the occurrence of a centralized tendency that all activities will be centered near the central government starting from the involvement of planning activities and programs to the budgeting which has implications for local wisdom and potential of each region increasingly undirected and not managed well.

## **5. MEDIATION IS THE PRIMARY WAY OF CONFLICT SETTLING TO REACH CONSENSUS**

After the conflict resolution was handed over to the governor of Riau / Riau Provincial Government, then what was done first was to mediate the parties in conflict, in this case, the community with the HTI Company in Pelalawan Regency. With the existing budget, the provincial government can go through the KPHP or a special task force team, can find a middle ground so that the conflict can be resolved soon. The team that comes down must have good negotiation skills and then also be supported with sufficient operational budget.

Researchers note that several important points must be included in mediation efforts between the community and HTI companies. The main important point is the return of community land included in the HTI by utilizing the exchange of forest areas. This is commonly called enclave. Enclave is something that must be done by the government if there is community land lost due to enter the HTI area. The basis for regulations regarding the exchange of forest areas is in the Minister of Forestry Regulation No: P.32 / Menhhut-II / 2010. An enclave in the regulation means land owned by individuals or legal entities in the forest area based on legal evidence under statutory provisions. Then for technical guidance from the swapping of these forest areas in the Director-General of Forestry Planning No: P.3 / VII-PSDH / 2014. This method can be done as one right way out. The provincial government can push this to the center for immediate replacement land for the community.

The next way to smooth the path of meditation is to force HTI companies to provide Corporate Social Responsibility (CSR) programs to the communities around HTI. But the CSR program provided must be a program that benefits the community for the long term. Previously, the Riau Provincial Government as a mediator was required to conduct preliminary research on what CSR programs were needed by the

communities around HTI. Then the Provincial Government submits CSR program recommendations to existing HTI companies. With this, the existing CSR will be more targeted and useful for the lives of people around HTI forever. One example program that can be provided is sewing training, training in making handicrafts, assistance to school facilities and much more.

Then no less important is asking HTI companies to prioritize workers from the areas around HTI to be employed in their companies. Thus, the economy of residents was also helped. This also leads to the depletion of social jealousy between the local community and company employees who come from outside other areas. For expertise, the company can certainly provide training to the local community before starting work. This makes unemployment decrease in local communities that are adjacent to HTI.

## **6. CONCLUSION**

Regarding the resolution of forestry sector conflicts that occurred in the Pelalawan District, there must be the main actor who acts as a mediator. This main actor is a must because there must be the one who is responsible for resolving the conflict so it does not drag on as it is now. Based on what the researchers have understood, the local Government is the main actor who must intervene to resolve this conflict.

The local government is referred to the position of the Riau provincial government. Riau Provincial Government is the main organ that can be relied upon to solve problems. The Riau Provincial Government is considered to have the right position in a formally legal manner. First, the Riau Provincial Government has two faces. On one side the Riau provincial government is representative of the region, but also a representative from the center. This position can make it easier for the Riau Provincial Government to work on resolving conflicts. Coordination down and up can be more easily done. Second, for cases of conflict in the forestry sector, the Riau Provincial Government is considered to have more authority than the district government. The new Local Government Law does clarify that the district government has little authority in the forestry sector. Even the Regency / City Forestry Service has been deleted. Practically the authority of the forestry sector is only in the position of the Provincial Government and the Central Government. The provincial government is considered more suitable to resolve forestry conflicts due to the close range. Not infrequently, forestry conflicts occur in a fairly large area even across districts. This is the main benchmark why the Riau provincial government is considered more suitable to be positioned as the main actor whose task is to resolve the forestry sector conflict that occurred in Pelalawan District.

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The results of an interview with Rustam Bindu on July 3, 2017 at a private residence

The results of an interview (Head of Serapung Village) interview on August 28, 2017 at the Office of the Serapung Village Head

The results of the interview on July 3, 2017 with Darwis (Community Leader of Segamai Village) in a private residence,

The results of an interview with Petrus Joko (an employee of the Riau Province Environment and Forestry Office) on August 1, 2017 at the Riau LHK Dinas office,

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