

# Kajang Customary Forest Conflict Management

Harun Dachri<sup>1</sup>, Gustiana A. Kambo<sup>2</sup>, Muhammad<sup>3</sup>  
{harundachridato@gmail.com<sup>1</sup>, gustianakambo@yahoo.com<sup>2</sup>, muhammad@gmail.com<sup>3</sup>}

Hasanuddin University, Indonesia<sup>123</sup>

**Abstract.** This study analyzes the conflict that occurred in the Ammatoa Kajang Customary Forest between the Ammatoa Kajang customary community and PT London Sumatra (Lonsum). This conflict was caused by the struggle for control and management of natural forest resources, where the state's partiality tended to weaken the position of indigenous peoples. For the Ammatoa Kajang indigenous people, the forest is a center of life that cannot be separated from existence for themselves in accordance with the teachings of Pasang Ri Kajang, so that preserving the forest is a top priority. Changes in forest function to rubber plantations and allegations of land grabbing in customary forest areas by PT Lonsum were the initial causes of the conflict. The conflict eventually became more widespread and protracted when there were no regulations or policies from the government to accommodate the struggle of the Ammatoa Kajang indigenous people to regain their communal rights. This research is a qualitative descriptive analysis that explains how the influence of political decisions from a country on the management of an area of natural resources resulting in environmental degradation, poverty, marginalization and discrimination against indigenous peoples.

**Keywords:** : Conflict-1; Political Ecology-2; Customary Forest-3

## 1 Introduction

The Ammatoa Kajang customary forest is a forest area located in Bulukumba Regency. The forest area is claimed by the Ammatoa Kajang indigenous people as a customary forest which has been owned for generations by indigenous peoples based on customary law. Customary law for the people of Kajang is called Pasang Ri Kajang. This Pasang is still carried out in daily life and become the way of life of the Kajang indigenous people. Pasang contains ethics and norms, both related to social behavior, as well as the environment, and the natural surroundings. The Ammatoa is tasked with preserving the Pasang Ri Kajang and keeping the Kajang community submissive and obedient to customary rules and laws. The principle of life of tallasa kamase-mase which teaches how to live simply in daily life so that the desire to live excessively in taking forest products can be avoided as well as protecting and maintaining forest area ecosystems so that they are still in a relatively stable and sustainable condition. [1]

Pasang Ri Kajang likens the land to a mother's figure while the forest is her clothes. In other words, the forest is the pride of the Kajang indigenous people to defend their land and life. As a source of life, the forest acts as Anjoboronga Angkotai Bosia which means that it is the forest that summons rain and provides several natural resources in the form of wood, animals and seeds. In addition, the function of the forest is related to customary rituals for the Ammatoa Kajang indigenous people, namely as a place for ceremonies, a sacred religious place (place for Ammatoa's inauguration), a place for the descent of Tau Rie're A'ra'na (God Almighty) and as

a place for vows or celebration. So that in managing and maintaining forest functions and areas, the Kajang customary community has Patuntung customary law, which divides the customary forest area into three parts. Borong Karamaka or sacred forest, Borong Batasayya which is defined as boundary forest or boundary forest, and as Borong Luarayya or Palekko'na Boronga which has the meaning of outer forest or forest cover. [2]

The Ammatoa Kajang customary forest area' conflicts began with the Kajang indigenous people excluded when dealing with government development programs. The enactment of Law (UU) Number 5 of 1979 concerning Village Administration and Law Number 5 of 1974 concerning Regional Government, became the beginning of the recognition and rights destruction of indigenous peoples' territories. Then in its development, a conflict occurred between the rubber plantation company PT. Lonsum Tbk, with the Ammatoa Kajang indigenous people regarding the confiscation of Kajang customary land which was then converted into a rubber plantation. The conflict reached its peak in 2003, when two people were shot dead by the police as a result of a demonstration by the community against PT PP Lonsum's land control in the Ammato Kajang customary forest area.

The influence of political actions cannot be separated in order to explain the phenomena of marginalization and alienation of society towards natural resources that occur. Unequal distribution in the form of ownership and management of natural resources causes conflicts that result in environmental degradation and poverty for the local community. [3] Exploring political aspects both in terms of overlapping policies and state alignments, as well as how political-economic studies of the interests of each actor are important to explaining how the phenomenon of conflict [4] that occurs in the management of natural resources, especially at the Ammatoa Kajang customary forest area.

## **2 Literature Review**

### **2.1 Natural Resource Conflicts**

Etymologically, conflict comes from the Latin "Con" which means together and "Fligere" which means clash or collision. According to Alao (2007), there are three ways to link natural resources with conflict, namely as a cause of conflict, as a factor that prolongs conflict, and as a means of overcoming conflict. As a cause of conflict, there are three things that are interconnected. First, the availability in quantity and quality. Second, politics, management and control related to how natural resources are managed by the state and several other issues that cause conflict. Third, the complexity of the extraction process which is the method by which natural resources are treated for the benefit of humans. The consequences of extraction activities have received attention from local and international NGOs.[5]

Conflict mapping is a technique used to graphically depict conflict, linking parties to problems and other parties. Conflict mapping aims to better understand the situation, see the relationship between various parties clearly, and evaluate what has been done. Based on the position of the perpetrators in conflict, there are two types of conflict which are categorized as vertical conflicts, a conflicts between components of society within a structure that has a hierarchy or conflicts that occur between elites and the masses (the people) and horizontal conflicts, which occur between individuals or groups with the same status [6].

### **3 Methods**

This research was conducted in Kajang District, Bulukumba Regency. This study used a qualitative research descriptive analysis. Observations and literature studies, as well as in-depth interviews using the snow ball technique with influential informants from Ammatoa Kajang, PT Lonsum, the local government, or non-governmental organizations with the aim of reducing, analyze, and draw conclusions in a detailed and structured manner to explain the conflict over the management of the Ammatoa Kajang customary forest, in Kajang District, Bulukumba Regency are used in this research.

### **4 Results and Discussion**

#### **4.1 The Form of Conflict in the Ammatoa Kajang Customary Forest Area in Kajang District**

##### **4.1.1 Vertical Conflicts in Management of the Ammatoa Kajang Customary Forest Area**

The conflict involving the state, PT PP Lonsum and the Ammatoa Kajang customary community is a vertical conflict that occurred in the struggle for management of the Ammatoa Kajang customary forest area. In vertical conflict theory, the government and PT PP Lonsum are at a higher level in the hierarchy of control over the Ammatoa customary forest area compared to the position of the Kajang indigenous people who are grassroots actors. The position of the government, in this case the Forestry Service and the TNI, is the embodiment of the state, while PT PP Lonsum is an actor who owns capital or is an actor who is given rights from the government to manage and utilize customary forest areas in Kajang District.[7] As grassroots actors, the Ammatoa Kajang indigenous people occupy the lowest level and are only actors who suffer losses from the power relations that have been built.

The impact of this hierarchy of customary forest area control then give access to forces for the government and PT PP Lonsum to suppress and weaken the Ammatoa Kajang indigenous people through formal law or state law regarding the existence of control of their customary rights. In practice, the Basic Forestry Law No. 5 of 1967 or Law No. 41 of 1999 became a political tool from the state to bring domination over indigenous peoples. Inequality began in 1982 when DLHK, which at that time was still the Ministry of Agriculture, claimed all customary forest areas in Kajang District as state-owned forests. Then based on the Decree of the Minister of Agriculture No. 760/KPTS/UM/10/1982 dated 12 October 1982, the Ministry of Agriculture determined that customary forest areas which included Borong Karamaka and Borong Batasayya were in Tana Towa Village, Pattiroang Village, Bonto Baji Village, Bonto Biraeng Village , Tambangan Village, Sangkala Village and Mallelleng Village as HPT areas. As a result of this, the area of the Ammatoa customary forest which was previously recognized by indigenous peoples was 1,300 ha and then changed to only 313.99 ha.

This number is very different from what is owned by the Ministry of Agriculture, based on the results of the customary forest areas delineation carried out by the DISHUTBUN which is only 313.99 ha, which means that the entire Borong Batasayya area and several areas in Borong Karamaka are not recognized by the state as the rights of indigenous peoples. The weakness of indigenous peoples to recognize their customary forest areas is caused by the determination sign of forest area only based on natural signs, while the state demands written evidence that is recognized by state law. The problem of the extent of customary forest areas is

increasingly complicated when the government, in this case, intentionally does not involve the knowledge of the Ammatoa Kajang indigenous people in determining the boundaries of customary forest areas.[8]

The conflict that occurred in the customary forest area in Kajang Sub-District is absolutely inseparable from PT PP Lonsum's actions in Bulukumba Regency. It was recorded that from 1981 to 2003, PT PP Lonsum was actively involved in the conflict with the Ammatoa Kajang Indigenous People, which took the form of violence and conflict reached its peak in 2003, when two people in Bonto Manggiring Village, Bulukumpa District, Barra bin Badulla and Ansu bin Musa was killed by a bullet fired by the police as a result of the reclaiming of land controlled by PT PP Lonsum. The community sees that as a plantation company, PT PP Lonsum will do whatever it takes to expand its plantation business.

Through the assistance of security forces and the government, PT PP Lonsum obtained land management rights covering 5,784 ha which previously was only around 200 ha, most of the land was the rights of the people which were seized arbitrarily including the customary forest area in Kajang District, in Bonto Biraeng Village (546.6 ha) Sangkala (166.05 ha) and Mining (200 ha). Until in the period 1981-1991 PT PP Lonsum succeeded in expanding plantation land on the Ammatoa Kajang indigenous people's customary land, without holding a HGU permit, as happened in Bonto Biraeng Village. Expansion of plantation land by PT PP Lonsum was carried out by coercion, evictions, and violent intimidation which received assistance from the police/forces.

Some of the discriminatory acts committed by PT PP Lonsum and the police in Kajang Subdistrict are those that occurred in Bonto Biraeng Village in 1982. To take over 546.6 ha of indigenous peoples' land, PT PP Lonsum displaced approximately 500 houses, rice fields, and gardens owned by indigenous peoples. In this case PT PP Lonsum does not have a permit to manage the area. In the same year, a similar incident occurred in Tambangan Village, where PT PP Lonsum assisted by the TNI planted rubber on a 200 ha customary forest area by frightening and threatening the community with firearms and it said that they would be jailed if they dared to oppose this activity.

Between 1999-2003, the community began to fight against PT PP Lonsum. The lawsuit filed was won by the community for land in Bonto Biraeng Village based on the decision of Republic of Indonesia Supreme Court No. 2553K/POT/1987. Then through the trial at the Bulukumba District Court, Abdi Koro as the clerk at the Bulukumba District Court confirmed that the 564 ha of land being executed was in accordance with the boundaries determined by custom. However, regarding this decision, PT PP Lonsum did not budge and remained firm, resulting in continued resistance from the community. The intensity of the demonstrations, the destruction of the plantation area, and the occupation carried out by the community against the PT PP Lonsum plantation area, made PT PP Lonsum and the police increasingly aggressive against the community. This was proven by the raid carried out by the police and eight employees of PT PP Lonsum in Bonto Baji Village. From the raid, four local residents were arrested, and then the three people were brought to court on damaging plants charges.

The peak of the residents' disappointment finally came down to July 21 of 2003 when the police commanded by the Deputy Head of the Bulukumba Police, Adjunct Police Commissioner (AKP) Gatot Budi Wiwino fired hot bullets. As a result, five people were injured and two farmers were killed by the shelling. Attempts to seize land with intimidation and violence conducted by PT PP Lonsum and security forces have turned the customary forest conflict into a manifest conflict in the form of clashes and fights between the Ammatoa Kajang indigenous people, the State and PT PP Lonsum. The involvement of NGOs including AMAN, Balang

Institute, CIFOR, AgFor and WALHI is an effort to fight for the rights of the Ammatoa Kajang indigenous people and the customary forest area preservation itself.

#### **4.1.2 Horizontal Conflict in the Management of the Ammatoa Kajang Customary Forest Area**

Horizontal conflicts in the customary forest areas management in Kajang District occurred between the Government of Bulukumba Regency and DLHK as well as the Ammatoa Kajang indigenous people and the people who own the HGU. Conflicts occur between actors who have positions in an equal power hierarchy makes the conflict that occurs is latent or hidden. Horizontal conflicts in the Ammatoa customary forest area occurred between two state institutions, namely local government and the central government, in this case the Regional Government of Bulukumba Regency and DLHK. This conflict was indicated by the birth of the regional autonomy in 2004 that gave regions the opportunity to independently carry out their regions development based on the needs of their region itself.

The interest of the Bulukumba Regency Government in the Ammatoa Kajang customary forest area is evident in the 2016 regional development and regional governance plan which places the Ammatoa customary area as a tourism area. This decision makes the protection of the Ammatoa Kajang traditional teachings existence becomes a new awareness for the local government. On the other hand, the initiative of the Regional Government of Bulukumba Regency to draw up a regional regulation regarding the Ammatoa Kajang customary community is a particular concern for DLHK. With the recognition of customary rights from indigenous peoples, the rights of indigenous peoples in the Ammatoa Kajang customary forest area are automatically recognized, resulting in the loss of state ownership of the forest area. So that in 2008, DLHK changed the status of the customary forest area of 313.99 ha as conservation forest. Changing the status of customary forest is DLHK's strategy, so that state influence continues and to protect natural resources hopes that they are not extracted and used by local governments on behalf of the Ammatoa Kajang indigenous people.

#### **4.2 Conflict Resolution on the Management of the Ammatoa Kajang Customary Forest**

An opportunity began to be obtained after the establishment of customary forests by the state, based on the Decision of the Constitutional Court (MK) Number 35/PUU/X/2012. This stipulation originated from a lawsuit by the Alliance of Indigenous Peoples of the Archipelago (AMAN) against Law (UU) Number 41 of 1999 concerning Forestry which according to him contradicted the ideals of the nation contained in the Constitution. In this decision there were two important changes, namely the customary forests as belonging to indigenous peoples recognition that were previously owned by the state and the provisions establishment of customary law communities recognition.

This decision was welcomed by indigenous peoples and the Regional Government (Pemda) of Bulukumba. The government's seriousness was marked by the issuance of the Regent of Bulukumba Decree Number: 760/VII/2013 concerning the Formation of a Team for Drafting Indigenous Peoples Regional Regulations (Ranperda) in Bulukumba Regency. Until November 17 of 2015, at a plenary meeting held by the Bulukumba Regency DPRD, this draft regional regulation was finally passed into Regional Regulation of Bulukumba Regency No. 9 of 2015 concerning Strengthening, Recognition and Protection of the Ammatoa Kajang customary law community rights. At the end of 2016, through the President of the Republic Indonesia, a Decree was handed over from the Minister of Environment and Forestry in recognition of customary forests, to nine Indigenous Law Communities (MHA) spread across a number of regions in Indonesia. With the recognition of the Ammatoa Kajang customary forest,

the ownership and management of the 313.99 Ha customary forest will be in the hands of the indigenous people. The form of customary forest area management according to Pasang ri Kajang will then be protected by the state, hoping the state's alignment with indigenous peoples has become clear. This has become a source of optimism for indigenous peoples as well as a threat to PT PP Lonsum.

#### **4 Conclusion**

The conflict that occurred in the Ammatoa customary forest area was a conflict of interest that was present in the Ammatoa Kajang customary forest management. These interest actors are the state, the Ammatoa indigenous people, and PT PP Lonsum. This conflict caused from the different paradigms that occurs between actors and the existence of disputes over land that occurred between the Ammatoa Kajang indigenous people and the State. Forest conflicts then took the form of vertical and horizontal conflicts or latent conflict, which manifest in nature, leading to the Ammatoa indigenous people discrimination and the destruction of the Ammatoa Kajang customary forest area in Bulukumba Regency.

#### **References**

- [1] A. Yusuf, "Ammatoa Komunitas Berbaju Hitam. Pustaka Refleksi," Makassar. 2014
- [2] A. Hafid, "Ammatoa dalam Kelembagaan Komunitas Adat Kajang. De La Macca. Makassar. 2013.
- [3] Oekan S, Abdoellah. Dari Ekologi Manusia Ke Ekologi Politik, PT Gramedia Pustaka Utama. Jakarta. 2020.
- [4] Billon, P.L, "The Political Ecology of War: Natural Resurce and Armed Conflicts. Political Geography," no. 20, pp. 561-584. Elsevier Science Inc.2001.
- [5] F., Simon et al., "Mengelola Konflik : Keterampilan dan Strategi untuk bertindak (Bahasa Indonesia)," The British Council. Jakarta. 2001.
- [6] S. Soerjono, "Sosiologi Suatu Pengantar," Rajawali Press. Jakarta. 2012.
- [7] A. Abiodun, "Natural Resources and Conclit in Africa: The Tragedy of Endowment," New York: University of Rochester Press. 2007.
- [8] R. Paul, "Political Ecology," Oxford: Blackwell Publishing. 2004.