The Dynamics of Social Conflict Over Agricultural Land in Kerinci, Jambi

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Abstract: This study analyzes the conflict between migrant cultivators and local cultivators in Tamiai Village, Batang Merangin District, Kerinci Regency, Jambi Province related to land cultivation rights. It is due to the unclear contents of the initial agreement letter, causing conflicts over land disputes between the two community groups. This research is qualitative research with a descriptive-analytical method. Data were collected through interviews and documentation studies. The results of this study reveal that there are several interests and needs of the two conflicting parties related to land management. The interests of local cultivators include protecting the rights of indigenous peoples, maintaining Ulayat land as the identity of the alliance, and clarifying the status of the land. The need for local cultivators is to get economic resources. Meanwhile, the interests of migrant cultivators are to obtain compensation after the conflict and the legality of the land. The needs of migrant cultivators include maintaining economic resources (livelihoods). Among the positive forces influencing conflict resolution are local government mediation and written evidence of land clearing permits. In contrast, the opposing forces that affect conflict resolution are the presence of the parties as provocateurs, the increase in land values, legal uncertainty regarding land status, and poor communication between the conflicting parties.

Keywords: Interests, Cultivators, Land Conflicts

Abstrak: Penelitian ini bertujuan untuk menganalisis konflik antara peladang pendatang dan peladang lokal di Desa Tamiai Kecamatan Batang Merangin Kabupaten Kerinci Propinsi Jambi terkait dengan hak pengarapan lahan. Hal ini disebabkan oleh ketidakjelasan isi surat perjanjian awal sehingga menimbulkan konflik perebutan lahan antara kedua kelompok masyarakat tersebut. Penelitian ini merupakan penelitian kualitatif dengan metode deskriptis-analitis. Data dikumpulkan melalui wawancara dan studi dokumentasi. Hasil penelitian ini mengungkapkan adanya beberapa kepentingan dan kebutuhan kedua pihak yang berkonflik terkait pengelolaan lahan. Adapun kepentingan peladang lokal diantaranya perlindungan terhadap hak masyarakat adat, mempertahankan tanah ulayat sebagai identitas persekutuan, dan memperjelas status tanah. Adapun kebutuhan peladang lokal yakni mendapatkan sumber ekonomi. Sedangkan kepentingan peladang pendatang adalah untuk mendapatkan ganti rugi pasca bentrok, dan legalitas lahan. Adapun Kebutuhan peladang pendatang diantaranya untuk mempertahankan sumber ekonomi (mata pencaharian). Diantara kekuatan positif yang memengaruhi penyelesaian konflik yakni mediasi pemerintah daerah, dan adanya bukti tertulis tentang izin pembukaan lahan. Sedangkan kekuatan negatif yang memengaruhi penyelesaian konflik yakni adanya para pihak sebagai provokator, naiknya nilai tanah, ketidakjelasan hukum terkait status tanah, dan komunikasi yang tidak baik diantara pihak yang berkonflik.

Kata Kunci: Peladang, Konflik Sosial, Lahan Pertanian, Adat

Introduction

Agricultural land is a natural resource that is needed by rural communities that generally work as farmers—along with population growth and socio-economic development of the community in the agricultural sector, making agricultural land limited. This situation gives rise to various efforts and actions of the community to realize its interests and meet its needs for agricultural land even though it must be contrary to other communities that can lead to disputes or conflicts. This is in line with the opinion (Susi, 2017) which states that conflict occurs because every individual in society has different interests so that in meeting his needs will cause conflict.

Agrarian conflict is a significant problem in Indonesia, the non-governmental organization Agrarian Renewal Consortium (KPA) noted that throughout 2017 there had been 659 agrarian conflicts in Indonesia, this number increased by 50 percent compared to 2016. Based on data released by the KPA, Jambi Province ranks 5th as the province that has experienced the most agrarian conflict, which is as many as 26 cases, one of which is the land grab conflict in Tamiai Village, Batang Merangin District, Kerinci Regency which has been held from 2016 until now.

This conflict is a conflict between two community groups, namely local farming community groups in Tamiai Village, Batang Merangin District, with groups of immigrants from outside Batang Merangin District who are fighting natural resources (SDA) in the form of agricultural land covering an area of ± 260 hectares located in Temiai Village of Batang Merangin District Kerinci Regency. Based on the results of the author's interview with the local comedian ninik mamak (Ir, 56 years old) at the time of initial observation on April 19, 2018, this conflict has its roots in:

Firstly, migrant cultivators no longer pay regular donations to local villages according to the initial agreement written in SK No. 150/VIII-1979. Immigrant cultivators must submit to local customs and fill the full cupak, gantang melilih (customary money). Second, the social jealousy of local cultivators towards immigrant cultivators because the harvest of immigrant cultivators is more than them. In one harvest, immigrant cultivators can produce tons of kilograms of coffee and cinnamon, while local cultivators can only produce hundreds of kilograms. Third, poor communication between local cultivators and immigrant cultivators. The new generation of migrant cultivators who occupy land due to inheritance or purchases from previous immigrant cultivators generally do not know their obligations regarding the

payment of traditional donations, then the local cultivators do not frankly remind them. Of the three problems, the author argues that the root of the conflict is that both parties do not understand each other's interests and needs.

The impact of this conflict began with the issuance of a circular letter on behalf of the indigenous people of the local cultivators signed by the Head of the Batang Merangin sub-district in the form of a notification letter to migrant cultivators who do not have documents that prove legal land ownership must leave their farming area. Furthermore, hundreds of local cultivators carried out sweeping actions to the location of the migrant cultivators to give red marks using pylok paint on the homes of migrant cultivators who could not show documents proof of land ownership, and gave warnings to leave the land within 3 months. .

The most severe impact of this conflict occurred on March 20, 2017, namely clashes between the time of the immigrants and the local cultivator community in front of the Batang Merangin District Camat office. This clash began from the arrival of ±300 people from the local court who used hundreds of motorcycles to protest to the Batang Merangin Camat who had signed the circular, then unexpectedly there was one of the immigrants who threw on the window glass of the camat office, this caused a reaction from the local community and attacked the arrival period so that there was a clash that resulted in 4 (four) the injured and ±72 (seventy-two) units of motorcycles belonging to the migrant farmers were burned.

Several efforts have been taken in resolving this conflict, 1) Negotiations between immigrants and local village indigenous leaders. However, local indigenous parties do not agree with the solutions presented by immigrant farmers. 2) Mediation of Batang Merangin Camat, but there is no fair solution because camat tends to favor local groups of farmers. 3) Focus Group Discussion (FGD), conducted in 3 stages, respectively on January 24, 27 and 30, 2017, took place in the Hall of the Kerinci Regency Regent's Office. However, we have not found the right solution for either side. 4) Deliberations with their respective indigenous institutions resulted in an agreement to re-mediate. 5) Mediation of Kerinci Regency Regional Government, namely DPRD and Regent of Kerinci Regency on March 22, 23 and 25, 2017.

Nevertheless, of the five settlement efforts that have been done both at the level of traditional institutions, village, sub-district and district governments, there has been no agreement that satisfies both parties, because there are still some interests and needs

of each party that has not been met, such as the payment of customary money and compensation for the losses of migrant farmers after clashes.

If this is not resolved immediately, it is feared that there will be further conflicts that could cause more casualties and losses. Based on these problems, the author feels the need to conduct a study to analyze the interests and needs of both parties. The interests and needs of each conflicting party are vital to analyzing because it is necessary to find common ground between the two parties to be the basis for determining the next step (Fisher & others, 2000). Some previous studies have shown that differences in interests and needs in land use are a source of conflict. According to (Riswanda, 2017), land conflict occurs because several groups have different interests and needs over the land. Interest is what they want, whereas need is what they should have (Fisher & others, 2000).

(Kurniawan, et al., 2013) explained that the parties with interests and needs on land are usually communities (individuals/groups), governments, and companies (private). However, because the focus of this research is to analyze the interests and needs of local farmers and immigrant farmers, what is seen are forms of interests and needs on the part of the community. The forms of interests and needs of the community in land conflicts can be explained as follows. According to (Wahyu & Kiptiah, 2016) the community's interest in land conflicts is to get balanced compensation or compensation from the party who takes over the land function. As written (Ngadimin & Kusmanto, 2018) namely obtaining redistribution rights to ex-HGU lands. Meanwhile (Asikin, 2013) states that the community needs legal protections and the rights of indigenous peoples. Similar to the findings (Munauwarah, 2016) namely legal protection, justice, and empowerment of the surrounding community.

Indigenous peoples' interests in ulayat land are to maintain the right to manage ulayat land and maintain the alliance's identity (Ratna & Ningrum, 2014). Meanwhile (Susi, 2010) explains that indigenous peoples have only been guided by oral agreements in defending the boundaries of customary lands. However, along with changes in the natural structure and development of population settlements this has become no longer effective, for that the community needs clarity of boundaries. land boundaries in writing and legally. The same thing was also conveyed (Haykal, Karimah, & Wibowo, 2012), which said that most agrarian communities want legality of rights and clarity of land boundaries. According to (Ambarasti, 2016) the community's need for land is a source of

livelihood that can improve welfare. The same thing was also conveyed (Alting, 2011) as a source of life to increase prosperity and welfare. Then (Lah, 2014) also wrote to indigenous peoples that land is the breath of life, thus land has a significant meaning in social life. Meanwhile, according to (Nurdin, 2015) land is an economical source for an agrarian society. Not much different from writing (A. W. Ratna, 2014) and (Welda Ningsih, 2013) for personal gain.

Based on the findings of previous research, it can be seen that the community's interests in land conflicts in general are getting compensation, maintaining the identity of the alliance, legal protection of indigenous peoples' rights, and land legality. While what they need is as an economical source (livelihood). However, from some of these studies, the interests and needs of the conflicting parties are only identified until the deliberation stage, not many studies have analyzed in depth the interests and needs of the two conflicting parties. In contrast to previous studies, in this study the author will analyze in depth the interests and needs of both parties, and what are the positive and negative forces that affect conflict resolution.

Methods

This research is qualitative research with descriptive analytical methods (Herdiansyah, 2012) with the research location located in Batang Merangin District of Kerinci Regency, where the conflict occurred. The taking of informants in this study using purposive sampling techniques is a sampling technique with specific considerations (Sugiyono, 2012). In addition, another technique used is the snowball sampling technique. The informants in this study are the parties involved in the conflict and related parties who are believed to provide accurate information to answer research questions (Sugiyono, 2012). This study obtained primary data from observations such as disputed land, damaged houses, burned motors, and broken camat office glass. Then the primary data is also obtained from the interview process related to the problems studied.

Results and Discussion

Conflicting Interests of The Weather

Differences in interests are one of the factors that can trigger conflict. These interests can be specific desires owned by one party towards the other party, but each party has not or cannot make it happen (Ngadimin & Kusmanto, 2018).

1. The Interest of Local Cultivators

Local cultivators who come from the Tamiai Village community, while the people of Tamiai Village are part of the indigenous community of Depati Muara Langkap Tamiai. According to (Asikin, 2013) indigenous peoples need legal protection and the rights of indigenous peoples. In indigenous peoples, some rules or regulations apply, regarding rights or obligations that must be followed by all communities, including immigrant communities in the customary law area. If it is violated, it will cause problems that can trigger conflict (Ratna & Ningrum, 2014).

Based on the findings of the study, it turns out that there is one of the interests of local farmers who are not met by immigrant farmers, namely the payment of customary money or "fill a bushel cupak full of melilih" as the initial agreement written in Decree No.150/VIII-1979. These interests can be said to be an effort to protect the rights of indigenous peoples by the Depati Muaro Langkap Indigenous Institution against local indigenous peoples.

In addition to fighting for the rights of indigenous peoples, another interest owned by local farmers is to defend the ulayat land that becomes the identity of their fellowship as an indigenous people depati Muaro Langkap, they are worried that if immigrant farmers are still allowed to work on their ulayat land, it will threaten the existence of their children and grandchildren in the future. This is related to the system of division of land inheritance in Kerinci, namely from father down to child, from child down to grandson, from grandson down to great-grandson with equal distribution, this is the concern of local farmers that the number of immigrant farmers will continue to grow and will threaten their existence as a local community. This is following the opinion (Ratna & Ningrum, 2014) which says that the interest of indigenous peoples towards ulayat land is to maintain the right of ulayat land management and maintain the alliance's identity.

Another thing in the interest of local farmers is to clarify the status of land or farmland in their villages, especially land cultivated by immigrant farmers, because

many immigrant farmers cannot show evidence of legitimate ownership of the land they work on. This is following the opinion (Susi, 2010) which explains that in maintaining the boundaries of indigenous land so far only guided by oral agreements, but along with changes in natural structures and the development of settlements it becomes ineffective anymore, for that the community needs clarity of land boundaries in writing and legal.

2. The Interests of Migrant Cultivators

The culmination of this conflict occurred on March 20, 2017, namely clashes between migrant cultivators and local farming communities in front of the Batang Merangin sub-district sub-district office. This clash resulted in 4 (four) injuries and \pm 72 (seventy-two) motorcycles belonging to migrant cultivators were burned. After the incident, a new problem arose: the migrant cultivators demanded compensation for the losses they had suffered. This follows the opinion (Wahyu & Kiptiah, 2016) which says that the community's interest in conflict is getting balanced compensation.

Apart from wanting to get compensation, it turns out that there is a common interest between immigrant cultivators and local cultivators, namely they both want clarity on the status of the land or the legality of the land they are working on. This is under the opinion (Haykal et al., 2012) that most agrarian communities want legality of rights and clarity of land boundaries.

Positive Forces Influencing Conflict Resolution

In conflict resolution several elements support (positive power). The positive power in question is everything that supports conflict resolution (Fisher & others, 2000). One of the positive strengths in resolving conflicts over land between migrant cultivators and local cultivators in Tamiai Village, Batang Merangin District, Kerinci Regency, is the role of local governments in carrying out several persuasive steps such as mediation to holding Focus Grub Discussions (FGD). This is following the opinion (Yurista, 2018) who writes that the government's initiation is a force that helps resolve conflicts. Just as stated (Sudiatmaka, et al., 2018), conflicts can be resolved because of the role of the government.

In addition to the role of the government, another supporting element that becomes a positive force in resolving this conflict is the existence of written evidence that can explain that the presence of migrant cultivators in Tamiai Village is not illegal or without a permit. Based on the contents of Decree No. 150/VIII-1979 that the entry of migrant cultivators into Tamiai Village was permitted by the government which was part of a government program during the reign of President Suharto, namely the Pelita III program which aims to increase the prosperity of the community fairly and equitably. This is in line with the opinion (Susi, 2015) that traditional histograph evidence, topographic maps, and various evidence related to land origins can be a supporting factor in resolving land disputes.

Negatives Forces Influencing Conflict Resolution

Besides the positive forces, there are also opposing forces that hinder conflict resolution. The negative power in question is anything that can hinder conflict resolution (Fisher & others, 2000). One of the opposing forces in resolving conflicts over land disputes between migrant cultivators and local cultivators in Tamiai Village, Batang Merangin District, Kerinci Regency, is the role of the adat party who becomes the provocateur. When a horizontal conflict occurs in the community, customary institutions should be one of the parties that can help resolve the conflict. This is following the opinion (Martoyo & Ahmad Junaidi, 2017) which says that the role or support of the customary head as an arbitrator and a conciliatory judge can attract both parties to the dispute and restore balance in the alliance. However, unlike what was done by the traditional institution of Tamiai Village (Depati Muara Langkap Customary Institution), they instead became provocateurs to expel migrant cultivators from Tamiai Village. This is evidenced by the issuance of notification letter No: 001/LADMLT/2017 regarding the control of migrant cultivators in Tamiai Village by the Depati Muara Langkap Tamiai Customary Institution. The contents of the notification letter are as follows.

- 1. For cultivators of ulayat land who do not have a recognized basis of origin of land ownership, then the land is returned to the country and the plants or cottages located on it may be taken by the cultivator of the land with a grace period of 3 (three) months from the issuance of this letter.
- 2. After the time limit has been determined, the respective cultivators are not complied with. The plants or huts on the land are not the responsibility of the State according to its traditional law.

- 3. No compensation for crops is allowed by anyone, including the inner son of a local cultivator.
- 4. Any problems that arise from controlling the customary land of Depati Muara Langkap Tamiai must be resolved in local customs.

Apart from traditional parties, the government in the local sub-district, the Batang Merangin sub-district, cannot act reasonably and mediate in this conflict. In the opinion (Sudiatmaka, et al., 2018) that conflicts can be resolved because of the fair role of government. However, the Camat of Batang Merangin as the local government party tends to be more in favor of local cultivators, without conducting deliberation or meetings with migrant cultivators, he has first decided to sign a notification letter No: 001/LADMLT/2017 regarding controlling the migrant cultivators residing in the area. Tamiai Village by the Depati Muara Langkap Tamiai Customary Institution.

The increase in land value is also an opposing force that triggers feelings of jealousy and social jealousy of the local community towards the community of immigrant cultivators who have already enjoyed the results of their fields. As well as the emergence of a greedy attitude from the local cultivators who want to fully control the cultivated area in their village because these lands are already productive and become a promising economic source. This follows the opinion (Tanjung & Sukirno, 2012) which says that the increase in land value is the cause of conflict.

The next thing that hinders conflict resolution is the legal uncertainty regarding land status. According to Galang & Arba, 2010 the chaotic law and wrong policies in the land sector add to the complexity of conflict resolution. Legal uncertainty regarding land status is one of the opposing forces that hinders conflict resolution. Along with the increase in the value of the land there will be many parties claiming to be the owners and triggering conflicts over land disputes in the community.

The factor of poor communication between migrant cultivators and the local community is also the cause of conflict. In social life, communication is an essential factor in making relations with other communities. This follows the opinion of Wahyoefiles (in Sukardi, 2016: 82) which mentions seven factors that cause conflict, one of which is communication. In line with the opinion (Wirawan, 2010) that conditions that can cause conflict are poor communication patterns.

Poor communication creates misunderstandings between migrant cultivators and the local community. The migrant cultivators do not uphold traditional values and

do not charge local customary money because the land has been passed on to their children and grandchildren, some have been traded or have changed hands to third parties.

Conclusion

From the analysis of the interests of cultivators in land conflicts in Tamiai Village, Batang Merangin District, Kerinci Regency, it can be concluded that each conflicting party has several interests. The interests of local cultivators: first, efforts to protect the rights of indigenous peoples in the form of paying customary money or "filling in the cupak gantang full melilih" as written in the initial agreement; second, to maintain the customary land which is the identity of the alliance; third, want to clarify the status of the land. The interests of immigrant cultivators: first, to obtain compensation for the losses incurred after the clashes in the form of 4 (four) injured and ± 72 (seventy-two) motorcycles belonging to migrant cultivators were burned clarity of land status or land legality. In terms of interests, there is one thing in common, namely they both want clarity on land status (land legality). While the positive forces that influence conflict resolution: first, the role of local governments in carrying out several persuasive steps such as mediation to holding a Focus Group Discussion (FGD); second, there is written evidence in the form of SK No. 150/VIII-1979 which can explain that the presence of migrant cultivators in Tamiai Village is not illegal or without a permit. As for the opposing forces that affect conflict resolution: first, the role of the adat party of Depati Muara Langkap as a provocateur, the adat party should act as a mediator; second, the Camat's attitude is more in favor of local cultivators and makes decisions that are detrimental to immigrant cultivators; third, the increase in land value which triggers social jealousy and greed on the part of local cultivators who want to control the cultivated area in Tamiai Village fully; fourth, legal uncertainty regarding land status; Fifth, poor communication has led to misunderstandings between migrant cultivators and local cultivators regarding the obligation to pay customary fees for newcomer cultivators.

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