

# Resolution Conflicts In The Contract Land Management Through Empowerment

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**Abstract:** The growth of the industrial sector in Indonesia also has an impact on the risk of conflict of interest in land. This occurs in the processing of work contract land by PT. Vale in Soroako, South Sulawesi. Land conflicts occur between companies and communities and the trigger for the conflict is the transfer of land function by companies from productive agriculture and plantations to company facilities. The study aims to find a land management model that is profitable for both parties. This study uses qualitative methods and collects facts through interviews and focus group discussions. The results of the study found that the trigger for the conflict between companies and communities is economic factors. This conflict also has an impact on social, economic and ecological aspects. The model developed in this study is the first partnership model, which aims to increase public understanding of legal risks and ecological risks resulting from management.

**Keywords:** Land Conflict, Land Management Model

## I. INTRODUCTION

Environmental problems that occur widely throughout the world are generally related to ownership rights over natural resources. The characteristics of resources as public goods result in uncontrolled exploitation activities [1]. Open utilization patterns have an impact on the decline in the quality of natural resources and threaten the quality of human life. Land resource management also faces many problems over the regulation of management rights. Asset control and ownership rights are often a source of dispute and result in the risk of social conflict. Various cases of land conflicts generally focus on differences in perspectives on management rights.

The growth of the industrial sector in Indonesia also has an impact on the risk of land management conflicts. Mining businesses that have developed since decades ago have recorded many conflicts and have had an impact on the socio-economic conditions of the community. On the other hand, the company also experienced many losses due to land control by external parties and the obstruction of exploration activities. Worse still, land management conflicts cause social friction and criminal acts [2]. Thus, land management conflicts are not only seen as a legal problem, but also as a social, economic and environmental problem. With these considerations, land conflicts become an obstacle to achieving sustainable development.

Economic problems that develop due to land conflicts. Several references describe various facts about the changing conditions that agrarian conflicts have an impact on changes in the economic conditions of the community. Land conflicts are related to environmental problems. Most land control will have an impact on resource scarcity and poverty. The longer the duration of the conflict with strong intensity, the wider the impact of resource limitations [3]. Political ecology experts explain that land conflicts cause parties to experience resource scarcity and limit the production power of one party [4]. Land conflicts also trigger social tensions in the communities involved in the conflict. Social tensions stem from differences in views or interests and form discriminatory actions and physical violence. This condition has an impact on the loosening of social relations between communities and threatens peace in the conflict area. As well as disrupting the social life of the local community [5].

Mining activities in Sorowako, South Sulawesi have been going on since 1968. The mining company obtained land management rights through a work contract permit mechanism. The company received legality in the form of an exploration permit covering an area of 70 hectares. Within a span of 50 years, the mining management company faced conflict issues with the Community. Furthermore, in 2014, PT Vale obtained land management rights through a Work Contract Amendment. This legality gave PT Vale management rights covering an area of 70,566 Ha. The picture of the conflict is manifested in the fact of the management of the company's contract land by the Community. This fact was revealed in two forms, namely the existence of overlapping land boundaries between contract land and land owned by the Community and customary land. The second is illegal land management by the Community. The company that owns the rights took legal action against the party that invaded the land in the form of an order to stop management, but the Community tried to survive for various reasons.

This study reveals the description of the management of company contract land by the community, the environmental impacts of such management and land conflict management strategies. The results of this study are important information for entrepreneurs and local governments in order to reduce land tenure conflicts.

## II. RESEARCH METHOD

This study uses a qualitative method that combines interview methods and focus group discussions to find various facts about contract land management in Sorowako, South Sulawesi. The subjects of the study were PT Vale as the party holding the contract rights and elements of the community who managed the land. The study took place from January to June 2020. The communities who were the subjects of the interviews were contract land managers in Wasuponda District, Nuha District and Towuti District, East Luwu Regency.

## III. RESULT AND DISCUSSION

### 1. The socio-economic system of the community that manages PT Vale's work contract land

The social system of the community living around PT. Vale's work contract land is generally very dependent on natural resources. Primarily land resources. Most of the people who manage land on PT. Vale's work contract land do not have certain skills and are only able to garden.

Based on the interview results, it was revealed that the people who work on the work contract land do not have other skills besides gardening. However, they do not have enough land to meet their family's needs. As a result, people try to work on unproductive land to meet their family's economic needs. The types of plants cultivated by the community depend on the suitability of the land. Most of the garden land that is cultivated individually in East Luwu Regency is planted with cloves and pepper.

Table 1. Characteristics of Managed Land

No.	Name	Pepper	Planting Time	Clove	Planting Time
1.	Kurais	1.200 Trees	0-2,5 Years	600 Trees	0-3,5 Years
2.	Amir Tomsal	3.100 Trees	0-2 Years	-	-
3.	Udin	2.000 Trees	0-2 Years	1.300 Trees	0-3-5 Years
4.	Jamal	2.300 Trees	0-2 Years	1.200 Trees	0-3,5 Tahun
5.	Yusri	1.300 Trees	0-2,5 Years	300 Trees	0-4 Years
6.	Jumardin	1.600 Trees	0-2,5 Years	350 Trees	0-3,5 Years

The statements of the community managing the work contract land about their income show that the economic value of the land is very beneficial for meeting family needs. The community does not have any other income other than from the sale of crops on the work contract land. Thus, the work contract land plays a very important role in supporting the socio-economic activities of the community.

The description of the research results also provides meaning that the farming patterns of farmers on work contract land greatly support the economic growth of the region. The commodities produced are important commodities so that their sustainability will have an impact on the socio-economic system of the region. The use of work contract land by the community has been going on for a long time and is considered not to violate the law. Land management initiatives are generally based on their observations of unused land.

The statement shows that there are two main reasons why people manage contract work land, namely the fact that people who have studied for decades who work on contract work land and do not cause legal problems and the second is the pressure of high living needs while they do not have land to cultivate. The results of the observation show that the pepper and clove farming patterns are easily practiced by some farmers in East Luwu starting from land clearing patterns, soil cultivation, nurseries, planting, fertilizing, plant maintenance and harvesting are well understood by the community. Even the sale of the harvest also shows easy access. As a result, farmers feel that the risk of managing the contract work land is relatively small and easy to overcome.

On the other hand, the development of social life in industrial areas is also marked by increasing lifestyles and needs. The increasing price of clothing and food has caused the demands of the family economy to also increase. This is a threat to people who only have the ability to garden or farm because they only rely on the potential of natural resources. This also encourages community initiatives to expand their cultivated land.

In several studies, conflicts in an area are generally caused by economic problems. Agricultural land conflicts are an interaction with socio-economic factors of the community. Poor economic conditions of the community are a trigger for conflict [6]. Several land conflicts that occur in Indonesia can be resolved with a profit-sharing scheme. However, land conflicts become more complex when companies do not fulfill their promises. As a result. Land conflicts do not only focus on agrarian problems, but also on socio-economic problems [7].

Conflicts between companies and smallholders in several developing countries in the district are related to access, use, and control of land. Land conflicts have socio-economic impacts on communities such as loss of land productivity and impact on farmers' income [8].

## 2. Patterns of use of land against work by the community

The interview results indicate that the water sources around the land are relatively good and support the cultivation of pepper and cloves. With the potential of springs and rivers, farmers can cultivate well. However, the water potential is highly dependent on the rainy and dry seasons. In addition, farmers generally do not use mechanical tools such as pumps to meet the water needs of plants. When viewed from the reference, the optimal rainfall for the development of clove plants is 1,500-2,500 mm/year. This is in accordance with the 2019 rainfall data for Wawondula Village, namely rainfall of 2,046 mm.

Furthermore, the optimal height for clove flowering ranges from 200-600 meters above sea level. The data obtained states that Wawondula Village has a topography of 350 meters above sea level. The data obtained on the soil type map of East Luwu Regency shows that Wawondula Village is dominated by latosol soil types. This can support the growth of cloves. Likewise with pepper plants. Pepper cultivation is suitable for latosol soil with good growth with sandy clay. Furthermore, the suitable location altitude is 200-600 meters above sea level with rainfall of 2000-3000 mm/year. This description illustrates that the land and topography conditions are suitable for planting pepper and cloves.

Both types of plants also require good drainage or water flow while the land of the work contract that is cultivated generally has high soil conditions so that it facilitates water flow. With these conditions, the land management pattern provides optimal results for improving their welfare.

Farmers generally cultivate pepper, cloves and chocolate, these three types of plants are in accordance with the type of soil in the field, namely latosol. In general, farmers manage land that is quite far from their homes with an average distance of 3 km, and the water source used for land management comes from rivers and wells.

Lahan memiliki fungsi ekologis penting karena memiliki fungsi perlindungan terhadap sumber daya lain seperti, vegetasi, air dan bentang alam. Namun, demikian konflik spasial antara ekologi dan pertanian sering kali terjadi dan berdampak terhadap perubahan tata ruang. Oleh karena itu, konflik lahan tidak hanya berdampak sosial tetapi juga berdampak terhadap kerusakan sumber daya alam [9].

## 3. Overview of the conflict in the management of PT Vale's work contract land

Land conflicts occur due to different interests of various parties who have access. On the one hand, the company as the holder of the management rights has the authority to carry out mineral mining efforts on an area of land that has been agreed upon with the government. With this authority, the company gets special treatment (*lex specialist*) and in practice the community is not allowed to manage the land.

The history of the management of the work contract land in Sorowako began in 1969, namely by signing a work contract with the Indonesian government. Currently, the work contract land in Sorowako is 70,566 Ha with a limit of authority until December 28, 2025. Thus, all parties including the community are not permitted to carry out processing activities in the agreed area.

On the other hand, the community views that unmanaged work contract land can be worked freely. This idea developed based on facts that have been around for decades. The beginning of the conflict between the company and the community occurred when the area of land occupied by the community became wider. The conflict that occurred was the community's demand to continue managing the work contract land considering that the company had not made any exploration efforts on the land.

Agrarian conflicts regarding land management and control generally occur between individuals, groups, communities or other parties, where each party in conflict tries to show its strength so that its interests can be realized properly. The conflict that occurred between the Towuti District community and PT. Vale was caused by the limited amount of land owned, while the needs of the community are increasing, both in terms of land function and land benefits for the community.

The community understands the right to use the land owned by the company. As they say, the land is the company's land. However, the conflict occurred due to the community's failure to leave the land on the grounds of economic needs. The conflict between the company and the community became a problem because the community tried to maintain the land as its economic source [10]. The efforts made by the community to maintain their crops were to negotiate collectively.

Analysis of the conflict of land management of the Work Contract in Sorowako was conducted by referring to the concept of sustainable development. Development in a region can only develop if supported by economic, social and environmental stability. In addition, technological support and policies in preventing conflicts are also highlighted in this study.

Analysis of the conflict in land management of the Work Contract with a social approach refers to Weber's sociological theory of conflict. This theory explains that in humans there are natural interests. These interests encourage people to try to utilize the potential around them as a source of livelihood.

In relation to this study, it is revealed that society has a natural interest in fulfilling its basic needs such as food, clothing and housing. As an effort to achieve these interests, society carries out traditional actions that prioritize habits formed in a community.

The use of work contract land by the community has an impact on the ecological damage of the area. The results of researchers' observations in Wasuponda District, Nuha District and Towuti District showed pepper and clove gardens on fairly high slopes. The community cut down trees on the hillsides and replaced them with gardens or monoculture cultivation. The results of these activities cause an increase in the rate of surface erosion and risk a decrease in water reserves.

In addition, based on reference searches, it was found that forest encroachment is one of the land clearing practices for intensive agriculture for pepper plantations in Sorowako. This causes the existence of endemic populations of *Hopea* spp and *Vatica* spp to be threatened in their natural habitat. The population structure of the Rode (*Vatica flavovirens*), Dama' dere (*Vatica rassak*) and Mata Kucing (*Hopea celebica*) species in their natural habitat is dominated by the level of seedlings and seedlings. The density of individuals is also very small, up to 62.5 individuals/Ha. This shows that there is a disturbance in its natural habitat, where encroachment and fires occur which cause many seedlings or seedlings to die instantly [11].

#### **4. Partnership-based model for resolving work contract land conflicts**

Conflict in the context of social change is basically a model of societal transformation through a pattern of mutual negotiation between elements that already exist in society. Most conflicts are resolved by taking a win-lose mechanism. As a result, new facts emerge due to a stronger dichotomous pole, or as the winning party, following a clash. Such conflict resolution has an impact on the formation of societal transformation that has the potential to present large social costs. This condition can even cause a decline in social order. The fact of land conflict in Sorowako has an impact on the socio-economic and ecological aspects of the area. Therefore, this conflict must be resolved properly involving both parties. The preparation of the conflict resolution model was carried out through focus group discussions between researchers and PT. Vale and community groups.

In practice, conflict resolution can be carried out with a legalistic approach, namely encouraging all conflict situations that result in clashes with legal rules. Thus, the formal legal process can be applied. This can also have an impact on achieving compliance from the parties involved in relation to the legal decision. However, socially, legal resolution does not have an impact on the development of cognition or mindset of the community and can lead to disobedience or rejection of other parties [12]. Based on this theory, conflict resolution with a legal approach is the last option and is considered not in favor of the community. The researcher's findings from the focus group discussion with PT. Vale found a picture of PT. Vale's desire to resolve the conflict. PT Vale as the holder of the rights to manage the contra-work land faces obstacles to the increase in the area of forest encroached by the community.

Various persuasive efforts have been made by PT Vale with the community and are realized in the form of providing cash assistance in the form of business capital or non-cash assistance such as sewing machines, basic necessities or pets. This is done as a form of the company's concern for the community and with the hope that the encroachers can leave the work contract land. On the other hand, PT Vale has developed a community empowerment program in the operational area and improved their welfare. In 2020, the company provided a budget of US\$ 4,141,694, to finance community empowerment efforts that include assistance to control the COVID-19 pandemic for the community.

The first model for resolving land management conflicts under contract work is a partnership model that aims to stop the management activities of land under contract work by the community. This can be done by increasing community understanding of the legal risks and ecological risks resulting from such management. Legal risks involve criminal violations as regulated in various laws and regulations related to forest management rights by PT Vale.



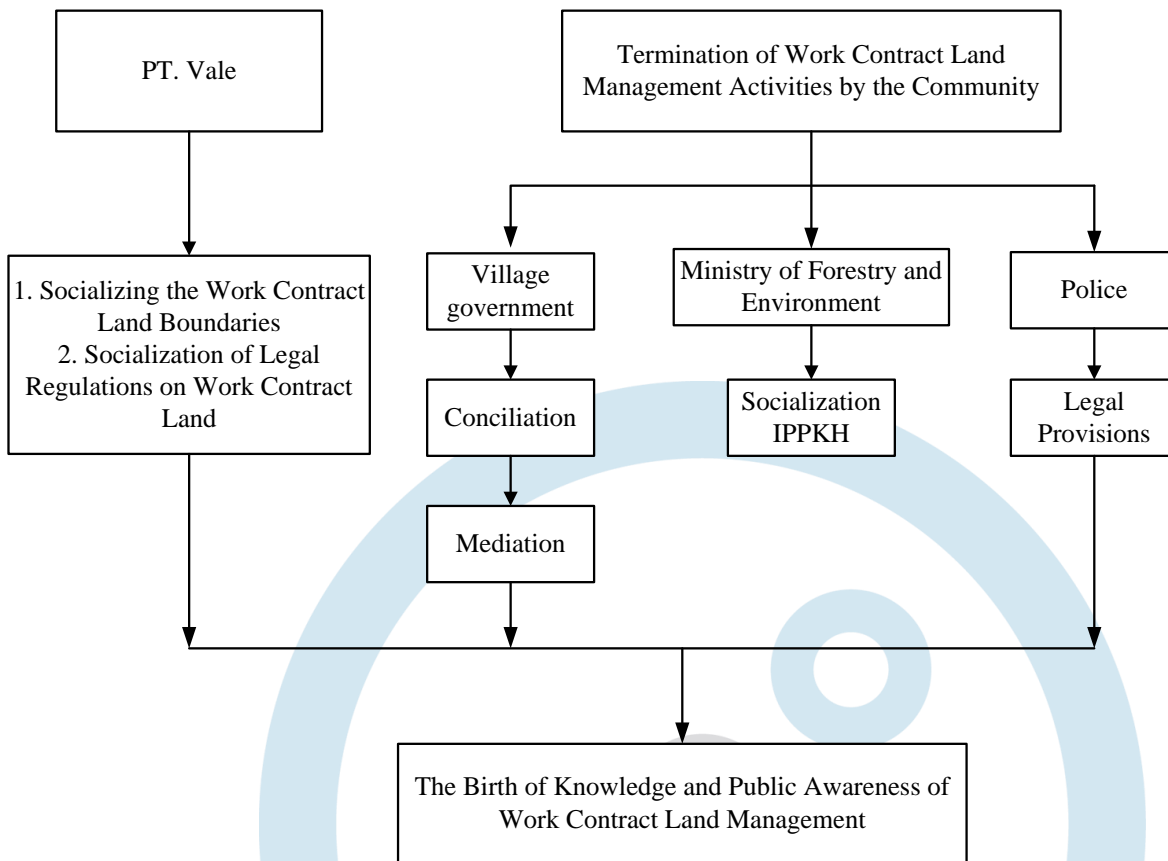


Figure 1. Land Conflict Resolution Model 1

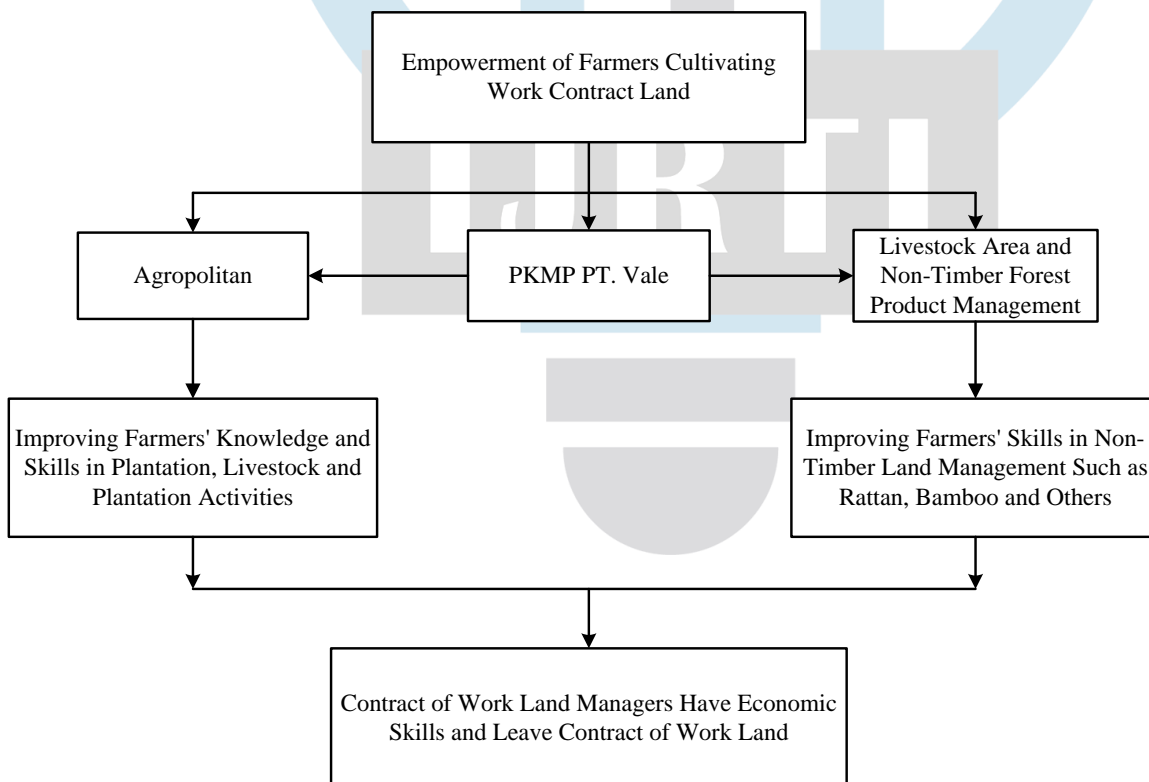


Figure 2. Land Conflict Resolution Model 2

### 5. Partnership-based model for resolving work contract land conflicts

Based on the research results, it was found that land conflicts between PT. Vale and local communities must be resolved comprehensively. The sustainability of the work contract land must be maintained both in terms of legality and environmental aspects. From a legal perspective, PT. Vale has legal power over land use, however, public recognition of this legality is still very minimal due to lack of information. As a result, there are different points of view on land management and cause conflict. In terms of ecology, PT. Vale as the holder of management rights for a certain period of time is responsible for maintaining the sustainability of the area's ecosystem. On the other hand, the management of work contract land by the community is a threat to this sustainability due to illegal logging, cultivation of plants that are not in accordance with the carrying capacity of the land and the use of groundwater.

On the other hand, the community manages the land without considering the legality of the land and the ecology of the area. The decision to manage the contra-work land is only based on economic needs and the absence of alternative income opportunities. Unecological land management is also caused by the inability to utilize technology and prepare infrastructure.

Based on the description, the researcher designed a strategy for managing land for work based on partnership. The target of this strategy refers to three aspects of sustainable development, namely social, economic and ecological. The researcher formulated three keywords in developing the model, namely Opportunity, Dialogue and Empowerment.

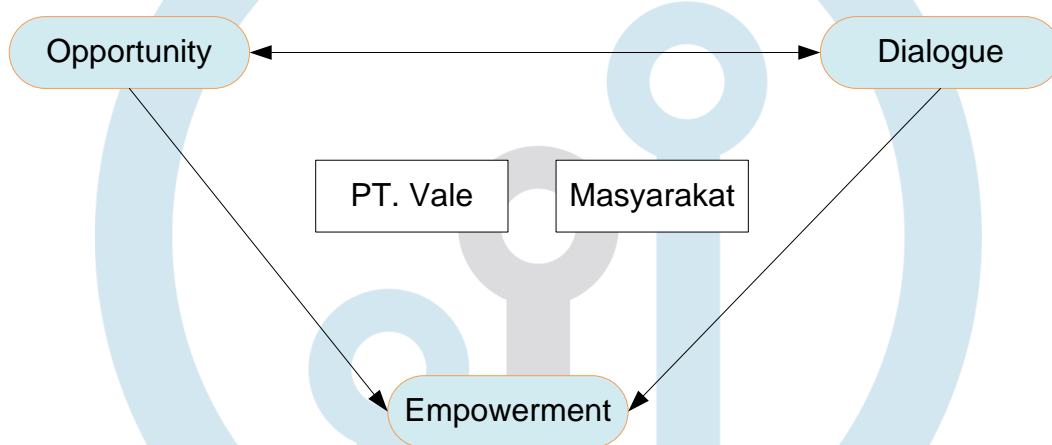


Figure 3. Model Development Strategy

An explanation of the model development strategy is presented in the following table.

Table 2. Model Development Strategy

	<b>PT. Vale</b>	<b>Masyarakat</b>
<b>Opportunity</b>	PT. Vale opens up economic development opportunities for SCR-based communities	Developing economic capacity by utilizing legal resources
		Developing self-potential in the form of skills in order to adopt partnership programs developed by the community.
<b>Dialogue</b>	PT. Vale opens intensive communication facilities with the government and the community to discuss the obstacles and successes of the partnership program.	The community conveyed their thoughts and responses to the government and PT. Vale regarding the success and obstacles of the ongoing partnership program.
<b>Empowerment</b>	PT. Vale develops partnership programs aimed at growing community economic activities	Communities are involved in partnership programs and receive socio-economic benefits.

#### IV. CONCLUSION

The community that manages the work contract land generally does not have other skills besides gardening. Furthermore, they do not have enough land to earn income to meet their family's living needs. Meanwhile, the farmer's economic system in managing the work contract land is sourced from the potential of the land. Farmers generally manage pepper, clove and chocolate plants, based on experience and information obtained from other people. The model for the settlement of the management of the work contract land is carried out with two objectives, namely the termination of the work contract land management activities by the community and the empowerment of the community managing the work contract land. The termination involves four elements, namely PT. Vale, the Village Government, the Ministry of Environment and Forestry, and the Police. Empowerment is carried out through cooperation between PT. Vale and the East Luwu Regency Government.

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