

Frankincense Versus Eucalyptus: A Struggle for Forest Resources Access in Pandumaan-Sipituhuta, North Sumatra

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ABSTRACT

This study investigates the contested access to forest resources between Indigenous communities and corporate actors in Pandumaan-Sipituhuta, Humbang Hasundutan Regency, North Sumatra. The Indonesian government has designated the area as production forest and granted forest management rights to a private company for eucalyptus plantation development. However, this area is also traditionally managed by the Pandumaan-Sipituhuta Indigenous Peoples, who rely on it for harvesting frankincense resin (haminjon). The overlap in-land claim has triggered a protracted struggle over access, wherein the state and company actors are positioned against the Indigenous community. Employing a qualitative research approach, the study draws on in-depth interviews with ten key informants to examine the mechanisms of power and contestation among actors. The findings reveal that each party employs different forms of power to secure access: the company relies on legal-rational authority and economic capital – particularly through formal concessions and tax payments – while the Indigenous community mobilizes social capital and networks, including alliances with NGOs and local political figures, to assert customary rights. The study concludes that diverging interests among forest stakeholders and the procedural complexity of legal recognition pose significant barriers to the formal acknowledgment of Indigenous rights over ancestral forests.

Keywords: access, actors, capital, indigenous peoples, power relation

INTRODUCTION

Researches conducted by several researchers (Borras & Franco, 2011; Kugelman & Leven Stein, 2012; Pearce, 2013) show that large-scale land acquisition and grabbing for agro-industrial, mining, plantation, and forestry projects have affected hundreds of thousands of communal landowners in Southeast Asia. During the process of land acquisition, often referred to as 'land grabbing' (Borras et al., 2011; Hall, 2011; Li, 2018; USAID, 2006), state and corporate actors gain control over vast areas of land while disregarding pre-existing land management rights (Yang & He, 2021). The state often perceives local communities as illegal settlers because they lack formal proof of land ownership (Maryudi et al., 2016; McCarthy, 2012). However, land ownership in many regions has been historically governed by customary management systems (Dhiaulhaq et al., 2018). The restructuring of land control is often driven by economic development initiatives, which challenge existing traditional systems. In many countries, this has led to conflicts over natural resource use (Napitu et al., 2017). While such conflicts occur globally, we use Indonesia as a case study to highlight the struggle over natural resources between indigenous communities and companies operating in the forestry industry.

In Indonesia, conflicts in the forestry sector have affected between 12.3 and 19.6 million people (5-9% of the country's population) from 1990 to 2000 (USAID, 2006). Agrarian conflicts in Indonesia are driven by the weak recognition of indigenous communities' rights within the development agenda, as forests have been claimed as state property under the forest area regime. State control over forests is exercised through territorialization politics (Paminto et al., 2020; Rasmussen & Lund, 2018) which divides forests based on their status, namely protected forests, production forests, and conservation forests, where management is often transferred to the private sector through the Forest Concession Rights (*Hak Pengusahaan Hutan* or HPH) and Industrial Plantation Forest (*Hutan Tanaman Industri* or HTI) schemes. The expansion of monoculture plants is directed towards areas with extensive forest cover, such as in Papua (Abdulgani et al., 2021; Gaveau, 2018), Kalimantan (Berenschot et al., 2022; Dharmawan et al., 2020), and Sumatra (Dhiaulhaq & McCarthy, 2020).

The development of HTI in Indonesia is closely linked to the growing capacity of the pulp and paper industry and the increasing global demand for paper, which reached approximately 390 million tons in 2019 (Paminto et al., 2020). Pulp and paper are among the leading non-timber products, with annual export volumes exceeding 4 million tons. North Sumatra Province has vast forested areas, making it one of the key targets for the expansion of this industry. The primary commodity cultivated in North Sumatra to meet pulp and paper demand is eucalyptus. PT TPL is one of the largest companies in North Sumatra to have obtained a forest utilization permit for eucalyptus plantations through the Forest Timber Product Utilization Business Permit for Industrial Plantation Forests (*Izin Usaha Pemanfaatan Hasil Hutan Kayu pada Hutan Tanaman Industri* or IUPHHK-HTI). The company has been operating since 1983 across 12 regencies and cities in North Sumatra Province, with a concession area of 167,912 hectares. The allocation of concessions to companies has resulted in overlapping forest use between the company and indigenous communities, whose managed territories fall within the company's concession area.

The Pandumaan and Sipituhuta Indigenous Communities in Humbang Hasundutan Regency are among the many indigenous groups in North Sumatra facing agrarian disputes due to the overlap between their customary territories and PT TPL's concessions. The people in this region have relied on tapping the sap of the frankincense tree (locally called *tombak haminjon*) for 300 years (Silalahi, 2020). *Haminjon* is not only economically valuable but also an integral part of their traditional identity (Sinurat, 2019). The existence of the Pandumaan and Sipituhuta Indigenous Communities came under threat after their customary forest (*tombak haminjon*) was designated as a production forest by the state and granted to PT TPL for eucalyptus plantations. In 2009, PT TPL cleared 400 hectares of *tombak haminjon*, prompting resistance from the community, which demanded that the government exclude their *tombak haminjon* from the company's concession and recognize their rights as indigenous people.

This study aims to examine the forms of power employed by various actors (the government, corporations, and communities) to legitimize their claims over forest resources in the customary territories of Pandumaan and Sipituhuta. Additionally, this research seeks to explore how power relations are constructed to legitimize these claims. The primary theoretical framework used in this research is the access theory developed by Ribot & Peluso (2003). They define access as the ability to gain benefits or advantages from something. Access to property (rights) can be altered depending on the authority an actor holds. This theory helps analyze who utilizes forest resources, how they do so, and the power networks that influence access. Analyzing access is essential for: (1) Identifying and mapping

actors' interests in gaining benefits, (2) understanding the background of actors in maintaining and controlling these benefits, and (3) examining the power relations that shape access mechanisms involving institutions through which benefits are obtained. In their efforts to maintain access, each actor seeks to transform access into property to gain legitimacy under existing laws and regulations. This is achieved by establishing authority relations, as Ribot & Peluso (2003) argue that turning access into property depends on how authority is established, reinforced, or dismantled. Thus, power is used to gain access, while authority is used to legitimize ownership. To support the analysis of access, this paper also applies the concept of capital developed by Bourdieu (1990). The dynamics of access relationships shape the formation of capital, which in turn facilitates the expansion of authority. The possession of capital determines an individual's capacity to exercise authority in accessing forest resources and structuring agrarian territorialization. Bourdieu classifies capital into four types: economic capital, cultural capital, social capital, and symbolic capital.

Previous research on struggles over access to natural resources has been widely conducted by scholars. For example, the contestation over access between local communities and the management of Komodo National Park in East Nusa Tenggara has led to the exclusion of communities from their living spaces (Muthohharoh et al., 2021). Land dispossession has also impacted indigenous communities, such as the Dayak Iban in Kalimantan and the Orang Rimba in Sumatra (Human Rights Watch, 2018), indigenous peoples in Malaysia (Amnesty International, 2018) and indigenous communities in West and Central Africa (Kennedy et al., 2023). These land grabs, driven by various commodity-based development projects, have resulted in widespread poverty and human rights violations across these regions. Other studies have examined the success of indigenous communities in Indonesia in defending their land against the threats of extractive industries (Mattata, 2023; Yuliani et al., 2018). Meanwhile, research by Nugroho et al. (2022) found that indigenous communities living around the Gunung Lumut Protected Forest in East Kalimantan continue to uphold ancestral norms and traditional knowledge in managing natural resources. However, increasing livelihood demands and socio-cultural assimilation have altered their relationship with nature.

A similar study conducted in Pandumaan and Sipituhuta Villages has also been carried out by other researchers, such as research on the collective movement of the Indigenous Peoples of Pandumaan and Sipituhuta to obtain legal recognition from the state through the reconstruction of indigenous identity (Silalahi, 2015; Sinurat, 2019). A similar study was also conducted by Arizona (2022) in "*Rethinking Adat Strategies: The Politics of State Recognition of Customary Land Rights in Indonesia*." Arizona revealed several factors that make it difficult for indigenous communities to gain legal recognition from the state. These include the frequent changes in state regulations regarding the recognition procedures for indigenous communities, the requirement that customary forests must first be preceded by the recognition of indigenous communities as legal subjects through regional regulations, and the government's tendency to delay the recognition process.

The difference between this study and previous research is that the Pandumaan and Sipituhuta Indigenous Peoples successfully obtained legal access to forest resources within the former PT TPL concession area through the recognition of customary forests. This success was supported by the power they wielded, as they established structural and relational access mechanisms in collaboration with various NGOs and regional leaders. The success of the Pandumaan and Sipituhuta Indigenous Peoples was also influenced by the momentum created by Constitutional Court Decision Number 35/PUU-X/2012, which removed customary forests from state forest classification, thereby expanding the legal space for communities living around forest areas (Peluso & Vanderveest, 2001). Furthermore, previous studies in Pandumaan and Sipituhuta villages have only focused on the struggle of the Indigenous Peoples of Pandumaan and Sipituhuta against PT TPL. However, they have not examined the dynamics of land ownership among communities. The novelty of this study lies in its focus not only on vertical conflicts between indigenous peoples, the government, and corporations but also on the internal tensions that arise within communities. According to Hall et al. (2011), in *Powers of Exclusion: Land Dilemmas in Southeast Asia*, exclusion can also occur on a smaller scale – referred to as intimate exclusion – where individuals or groups within the same village, or even among relatives, compete for access to land. Therefore, this study also classifies actors within the community who have vested interests in land. This is particularly relevant because the land ownership system of the Batak Toba ethnic group is influenced by an individual's social status – whether they are descendants of the *raja bius* or belong to the *marga boru* (migrant clans). Understanding these social dynamics is essential for analyzing power relations at the community level.

METHODS

This study employs a qualitative approach. According to Creswell (2016), qualitative research explores and seeks to understand the meaning of social problems experienced by individuals or groups. Since this study aims to describe the forms of power and power relations among actors competing for forest resources, it requires in-depth descriptive data for analysis. Primary data collection took place between September and November 2022 in Pandumaan Village, Sipituhuta Village, and Pansur Batu Village, located in Pollung District, Humbang Hasundutan Regency, North Sumatra Province. Although these three villages are administratively separate, they share a common history of natural resource management (Silalahi, 2020).

The selection of these research locations was based on several considerations (1) the *tombak haminjon* owned by the communities in these villages are located within the same area, as they share a historical connection to natural resource management. (2) The conflict dynamics in these villages are complex. Despite their common ancestry, only the Pandumaan and Sipituhuta communities have fought for the recognition of their customary forests, whereas the Pansur Batu community has chosen to collaborate with the company. (3) Debates over the rightful subjects of customary forests in Pandumaan and Sipituhuta persist, despite legal recognition by the state. This is because the population of these two villages is dominated by the *marga boru*, who are considered by some to lack legitimate customary land rights.

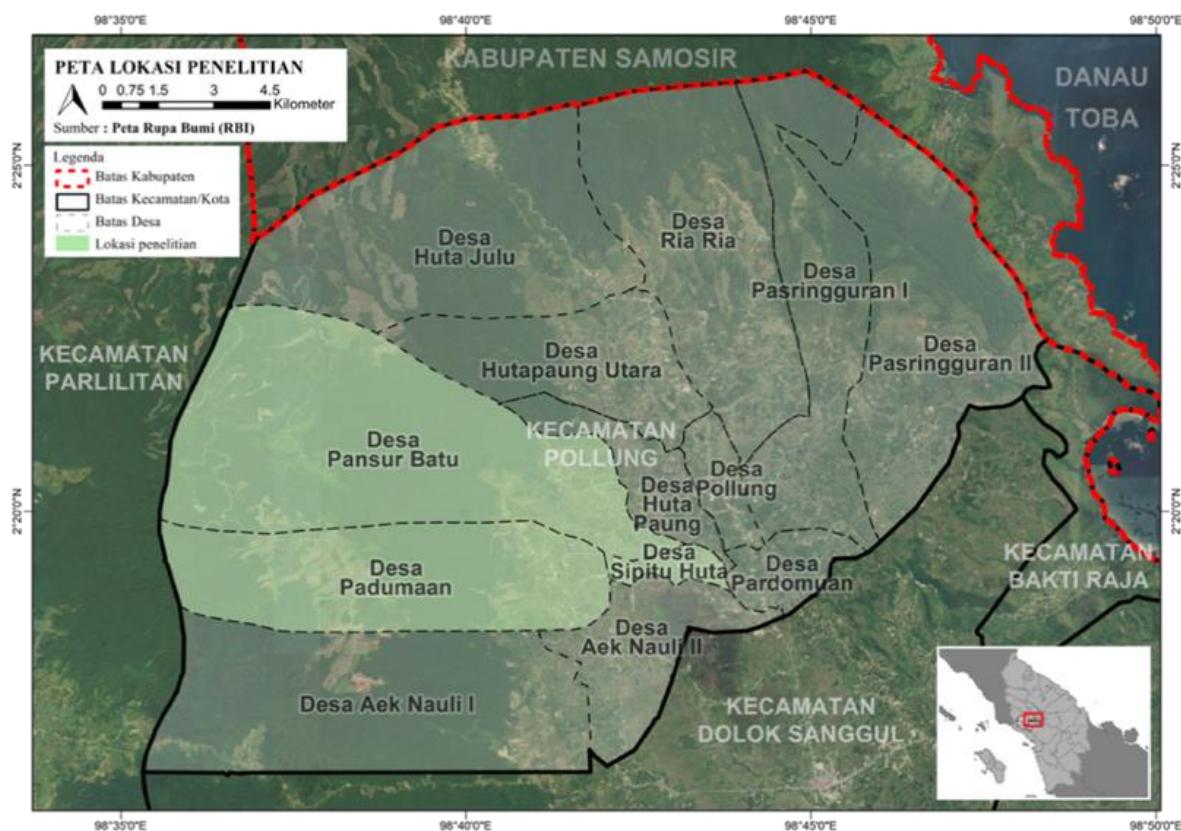


Figure 1. The research location is in Pandumaan Village, Sipituhuta Village, and Pansur Batu Village, Pollung District, Humbang Hasundutan Regency

Qualitative data collection techniques were employed through document reviews and in-depth interviews. The key informants in this study consisted of 15 indigenous people from the three villages, including benzoin farmers, traditional leaders, religious figures, and village officials involved in the struggle for customary forests. Additionally, five NGO staff members who assisted the communities were also interviewed. Furthermore, the author participated in several discussions on this issue with the Head of the Sub-Directorate for Customary Forest Recognition and Local Wisdom Protection at the Directorate General of Social Forestry and Environmental Partnerships (*Direktorat Jenderal Perhutanan Sosial dan Kemitraan Lingkungan* or PSKL) Ministry of Environment and Forestry (*Kementerian Lingkungan Hidup dan Kehutanan* or KLHK). Informants were selected using the

snowball sampling technique, based on the following criteria: understanding the history and legal aspects of customary land control, being actively involved in the indigenous peoples' struggle, having experience in assisting indigenous communities, and understanding the dynamics of forest area formation in Humbang Hasundutan.

The data analysis technique used a spiral model (Creswell, 2016) which consists of four stages, namely (1) conducting the process of collecting primary and secondary data in the form of text and images, (2) conducting the process of reading and making notes as a reflection of the answers to research questions, (3) recording, classifying, and interpreting data based on context and categories, and (4) conducting representation and visualization by making conclusions in the form of matrices, diagrams, and then compiling proportions from the research results.

RESULTS AND DISCUSSION

Socio-Ecological Conditions of Indigenous Communities in Humbang Hasundutan

The Indigenous Communities of Pandumaan and Sipituhuta rely on tapping *haminjon*, farming along forest edges, and collecting other forest products for their livelihoods. Their customary forest is the largest benzoin production area in Indonesia. The benzoin resin they produce is exported to China, Turkey, India, and Arab countries, where it is used as a raw material for incense and perfume manufacturing. A study conducted by the Medan Archaeology Center, led by Ketut Wiradyana and Bucas P. Koestoro in February 2013, revealed that the community has inhabited this region for approximately 300 years. The study focused on archaeological artifacts, including ceramic fragments, pottery, and statues found in Pandumaan, which serve as evidence of past settlements and activities (Wiradnyana, 2017). The community considers *haminjon* the “tree of life” because it is both a source of livelihood and an integral part of the Batak Toba indigenous identity (Silalahi, 2020). The cultivation of *haminjon* requires no financial investment, as the community simply waits for mature trees to drop their seeds. Once the seedlings grow to about half a meter, they are transplanted to empty land. The process of *martombak* – which encompasses planting, tending, and harvesting *haminjon* resin – is exclusively performed by men. They spend up to five days in the forest, staying overnight in a *sopo* (a hut built in the middle of their *haminjon* garden). The community also observes special rituals and prayers when tapping *haminjon* resin, a practice known as *mangarottas*. This involves offering four *lappet* (a traditional Batak food) on a container, accompanied by prayers led by village elders.

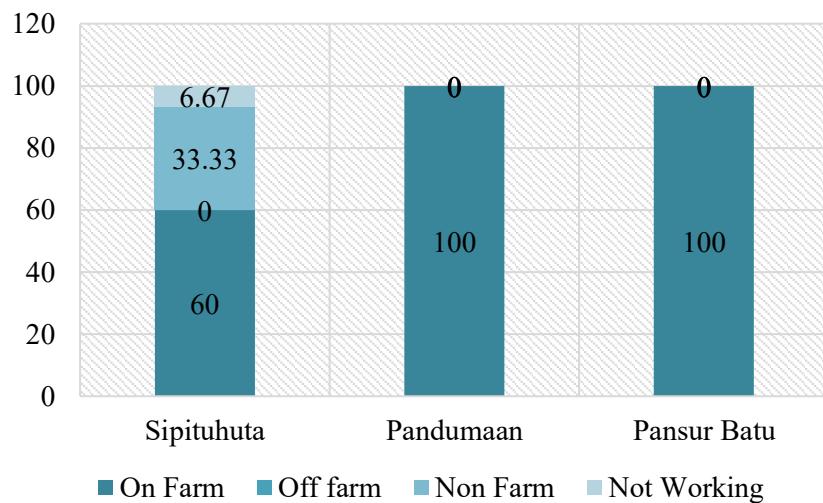


Figure 2. Percentage of livelihood structure in the three villages (2022)

Figure 2 shows the source of community income comes from farm activities (gardening and farming). On-farm activities are very dominant, in Sipituhuta Village around 60% of the community works in the on-farm sector, while in the other two villages, it reaches 100%. The types of livelihoods in Sipituhuta are more diverse such as entrepreneurs, workshops, traders, to civil servants, this is due to the presence of immigrants who live in the village, especially in Dusun Satu. These immigrants come from Javanese, Sundanese, Minang, and Padang ethnic groups who have lived in Sipituhuta Village since 2013. They

opened a village called Huta Muslim, whose location is slightly separate from the village owned by the indigenous community. Almost all residents in Huta Muslim work as traders; they cannot access *tombak haminjon* because they do not have a kinship with the indigenous community in the village. In addition, the location of Dusun Satu is around the main road to the capital city which causes a variety of livelihoods in the hamlet, so their dependence on *tombak haminjon* tends to be low when compared to the other two villages.

Figure 3 shows the types of plants in farming activities based on the total land use area. Frankincense plants dominate land use in the three villages, namely in Sipituhuta 9.27%, Pandumaan 5.41%, and Pansur Batu 8.78%. *Haminjon* resin provides a good income to the community. There are three types of resin based on price, namely the *super type* sold for IDR 250,000 - IDR 400,000 / kg, the *tahir type* IDR 80,000 - IDR 90,000 / kg, and the *lecek type* IDR 30,000 / kg. Before their customary forest entered the PT TPL concession, the community's income reached IDR 2,500,000 - IDR 3,000,000 per week.

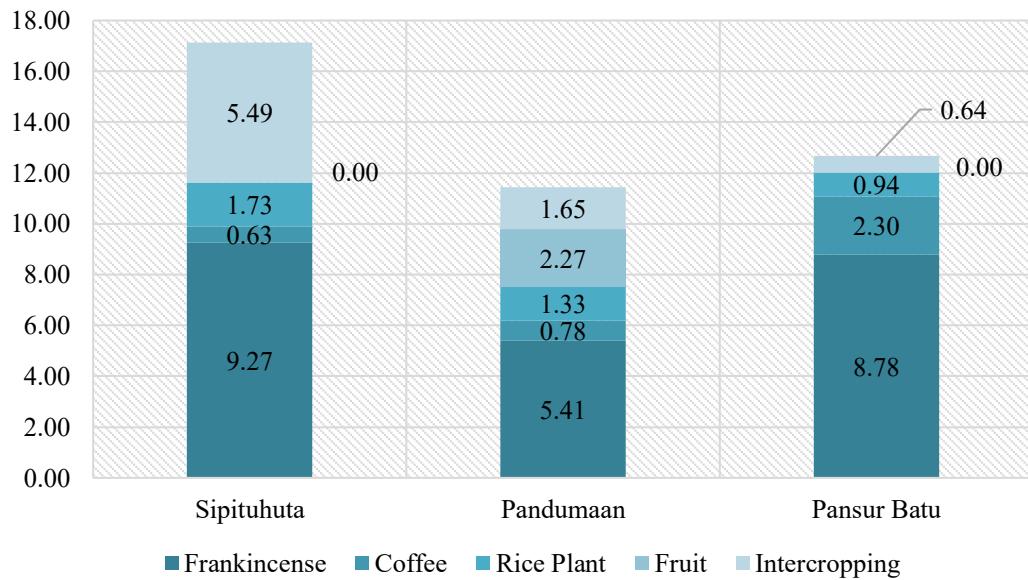


Figure 3. Land use types based on the area (m²) in on-farm activities in three villages in Pollung Sub-district, Humbang Hasundutan (2022)

The dependence of indigenous peoples on farming activities in these three villages demonstrates a strong connection to the land. However, the livelihoods of the Pandumaan and Sipituhuta Indigenous Communities came under threat after the state designated their *tombak haminjon* as part of PT TPL's concession area. This company was granted a eucalyptus plantation concession for pulp production through a Business License for Timber Forest Product Utilization in Industrial Plantation Forests (*Izin Usaha Pemanfaatan Hasil Hutan Kayu – Hutan Tanaman* or IUPHHK-HT). The concession was granted based on the Minister of Forestry Decree No. 493/Kpts-II/1992, dated June 1, 1992, which allocated 269,060 hectares of forest in North Sumatra for industrial plantation use. After undergoing eight revisions, the latest decree, SK 307/Menlhk/Setjen/HPL.0/7/2020, reduced the concession area to 167,912 hectares. The *tombak haminjon* belonging to the Pandumaan and Sipituhuta Indigenous Communities, which falls within the company's concession and state forest areas, covers approximately 4,000 hectares. In 2009, the company included the *tombak haminjon* in its Annual Work Plan (*Rencana Kerja Tahunan* or RKT) and subsequently began clearing 400 hectares of these forests.

This paper illustrates the struggle over forest resources between the Pandumaan and Sipituhuta Indigenous Communities through the competition between two commodities, frankincense and eucalyptus. Eucalyptus, a monoculture plant, absorbs a significant amount of water, making it incompatible with frankincense, which relies on surrounding natural vegetation to protect its sap from direct sunlight. The concession granted to PT TPL has created various problems for the community, including a decline in *haminjon* resin production due to environmental degradation caused by the company's activities. Additionally, community members conducting activities within PT TPL's concession area have faced criminalization by the company, as they are accused of violating legal regulations. The criminalization of the community is essentially a direct consequence of state-based

resource control (Ribot & Peluso, 2003). This pattern of control systematically disregards the deep relationship between humans and nature, even though natural resources are fundamental agrarian assets closely tied to local communities, particularly subsistence-based rural societies.

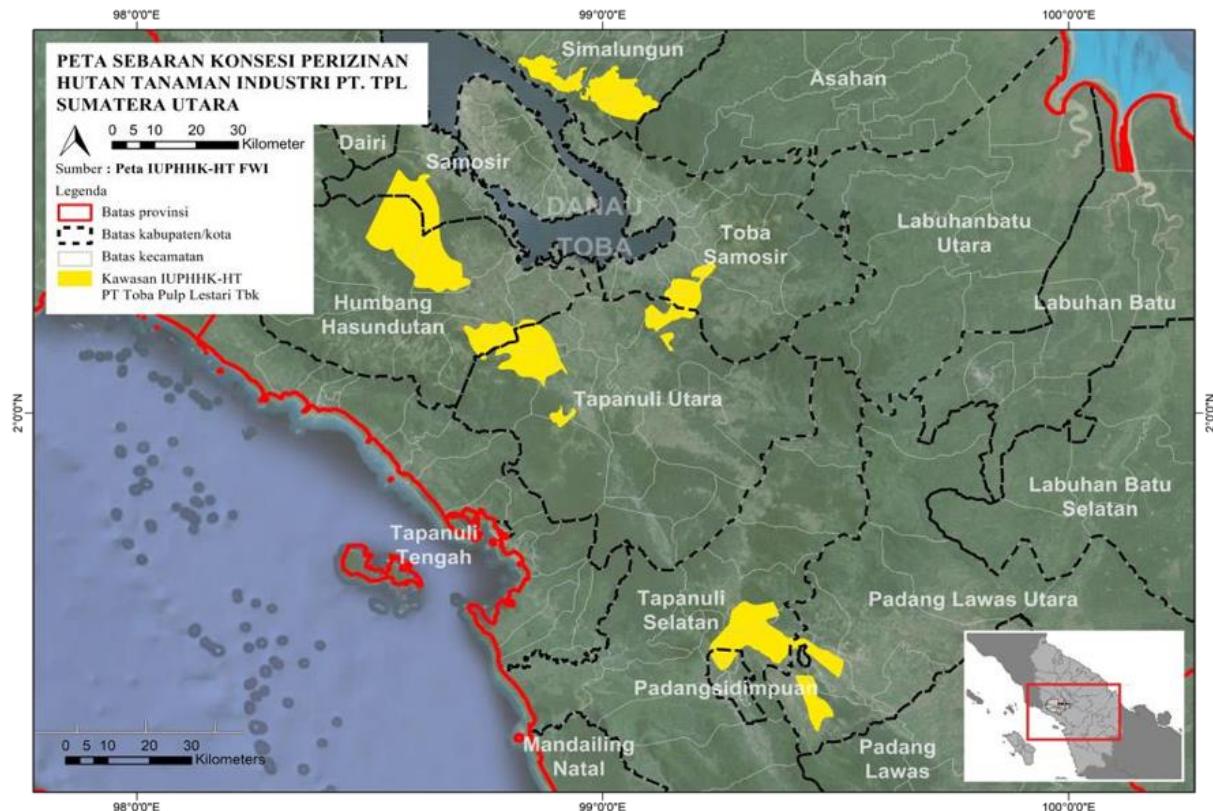


Figure 4. Map of PT TPL Concession Distribution in North Sumatra

Power and Capital Ownership in Accessing Forest Resources

The conflict over forest control in Humbang Hasundutan is a conflict between two discourses, namely the state forest area represented by actors who have an orientation towards economic interests over forest resources, and the discourse on the rights of indigenous peoples. The concept of state control over forests tends to be interpreted as a 'forest corporation,' which leads to a profit orientation. This understanding is implemented in the form of granting concessions to capital owners. As a result, the meaning of state control under the pretext of 'people's prosperity' is often misused and ignores the concept of forest management carried out by the community, which ultimately eliminates community access to forest resources. The struggle for control of forest areas emphasizes the actors who play a role in accessing and controlling forest areas, the interests behind them, and the strategies used. Ribot & Peluso (2003) defines access as the ability to obtain benefits from something. The ability in question is a bundle of power or a web of power in which there are social processes and relations so that actors can obtain and maintain access to resources.

The actor who plays a role in the formation of the forest area is the KLHK, which delegates the rights to manage and utilize the forest to PT TPL. Meanwhile, the actors who are harmed by the policy are the Pandumaan and Sipituhuta Indigenous People because their *tombak haminjon* are included in the PT TPL concession. However, it should be noted that the exclusion process does not only involve the state with the people or investors and does not only end in open conflict. Exclusion also occurs on a small scale, which is referred to by Hall (2011) as intimate exclusion, namely exclusion between neighbors or relatives between villages due to the struggle for access to resources. Therefore, this paper also needs to look at the actors from a broader perspective, namely community actors at the village level. Table 1 below shows the forms of power built by each actor, where PT TPL has more diverse capital than the community because, in addition to relating to the government, this company also builds relationships with local communities.

Table 1. The dominant type of capital possessed by the actors in accessing natural resources

Actors	Types of Capital			
	Economic	Social	Symbolic	Cultural
Government (KLHK)	-	-	-	Formal law
PT. TPL	Money and technology	Relations with local communities	-	-
National and international NGO	Money	-	-	Knowledge of indigenous peoples' rights
Indigenous People of Pandumaan-Sipituhuta	-	Relations with NGOs and regional heads	Indigenous peoples identity (<i>raja bius</i> and <i>marga boru</i>)	Customary rights
Ethnic immigrant in Sipituhuta	Money	Relations with local communities	-	-
Indigenous People of Pansur Batu	-	Relations with the Pandumaan-Sipituhuta Indigenous Community	-	Customary rights

Type 1: Power Built on Economic Capital

According to Bourdieu (1990), economic capital is all ownership of material wealth such as savings, both cash and non-cash, ownership of business units, ownership of large land, income, assets or finances, and other forms of material wealth. Research conducted by Suryani (2015) shows that the inequality of economic capital owned by mining entrepreneurs and the community has positioned the community as the disadvantaged party. The company uses the economic capital it has to pay the military apparatus to protect its mining business. This study identifies that PT TPL is the actor that dominates the ownership of economic capital in accessing forest resources in Humbang Hasundutan.

The source company's economic capital ownership was obtained from an Indonesian entrepreneur and long-term loans from several banks. In April 2007, PT TPL obtained credit from Bank Kesawan amounting to US\$ 380 million. Bank Kesawan, currently known as Bank QNB Kesawan, is a subsidiary of Qatar National Bank (QNB Group), which was established in 1964. Qatar National Bank owns 70% of the shares in Bank QNB Kesawan in Indonesia. PT TPL obtained a working capital credit facility from PT Bank Kesawan Tbk. Medan amounting to US\$ 380 million. In addition, several banks (unknown) also provided loan credit facilities to PT TPL, amounting to US\$ 46,830 million. To reduce the debt burden, in November 2007, PT TPL sold some of its shares and made a capital loan to an investment company, Pinnacle Company Limited, which now controls 89.61% of PT TPL's shares. The company also uses its economic capital for operational costs, namely paying taxes to the state, local elites, and local communities employed as company contractors. In addition to economic capital, PT TPL also controls technological capital, such as heavy equipment used to cut down *haminjon* trees and build roads in the forest for the process of transporting eucalyptus harvests out of the forest. One of them is the construction of a road in the Tele Sector, the location where the *tombak haminjon* belonging to the Pandumaan and Sipituhuta Indigenous Communities are located. According to Ribot & Peluso (2003), the concept of capital and technology is included in the relational and structural access mechanisms.

National and international NGOs also use economic capital to support the Pandumaan and Sipituhuta Indigenous Communities in fighting for their customary forests. Kelompok Studi Pengembangan Prakarsa Masyarakat (KSPPM) is the main institution that accompanies the Pandumaan and Sipituhuta Indigenous Communities. KSPPM is an NGO that raises issues regarding the environment, indigenous communities, community participation, human rights, gender equality, community development, agriculture, and law enforcement. In terms of its struggle strategy, this institution focuses on advocating for the rights of indigenous communities, environmental damage, human rights violations, services for the poor, and indigenous rights. KSPPM supports the struggle of the Indigenous Communities of Pandumaan and Sipituhuta by facilitating legal and political discussions, organizing and delivering

political education at the village level, advocating through both litigation and non-litigation processes in criminal cases, and providing assistance during mass actions and political lobbying with the government and corporations to resolve conflicts. Additionally, KSPPM plays a crucial role in providing financial support to the community for each collective action they undertake.

At the site level, immigrants from Javanese, Sundanese, Minangkabau, and Padang ethnicities also use economic capital to access land through a buying and selling system with local residents in Sipituhuta Village. However, the use of economic capital only applies to accessing land in residential areas based on agreements with the clans living in the area. Meanwhile, land in the *tombak haminjon* cannot be accessed by immigrants because land transfers in the *tombak haminjon* can only be carried out by residents between clans.

Type 2: Power Built on Social Capital

Bourdieu (1990) defines social capital as the relationships and networks that are resources used in determining and reproducing social positions. All resources including social relationships, networks, and group or organizational memberships that function in determining social positions, are categorized as social capital. In addition, kinship (genealogical) relationships, friendships, and organizations are also categorized as social capital.

PT TPL utilizes social capital to build relationships with communities in villages around the concession area to gain informal legitimacy from the community. This relationship is carried out through cooperation with the Community Timber Plantation (*Perkebunan Kayu Rakyat* or PKR) scheme. In this cooperation, PT TPL bears the production costs until harvest, while the community provides land for planting eucalyptus. The Pandumaan Indigenous Community once collaborated with PT TPL through this scheme on around 70 hectares of land, but the profit-sharing agreement was not fulfilled by PT TPL, so the community rejected the extension of the cooperation and did not allow the company to harvest eucalyptus. The cooperation that is still ongoing to this day is between PT TPL and the Pansur Batu community. This form of cooperation benefits the company because it avoids tax burdens. In addition, PT TPL also builds relationships with some indigenous communities in Sipituhuta Village, especially those living in Huta Marade in Sipituhuta Village. Most of them are employed as contractors at the company.

Other actors who build power based on social capital are the Pandumaan and Sipituhuta Indigenous Communities. Communities are categorized based on their ability to access land, namely the *raja bius*, the *marga boru*, and migrants. The *raja bius* consists of the Lumban Batu and Lumban Gaol clans, this group of clans is the clan that opened the initial village in Pollung District, so this group of clans is also referred to as the owner of the customary territory. Meanwhile, clans other than the *raja bius* group are called the *marga boru* in Pandumaan and Sipituhuta Villages, such as the Nainggolan, Pandiangan, Sihite, Munthe, Sinambela clans, and other clans. The *marga bius* who wants to settle and manage land in the Pandumaan and Sipituhuta customary areas must establish kinship relations (for example, through marriage) with the descendants of the *raja bius*. Referring to Putnam et al. (1993), the social capital owned by the Pandumaan and Sipituhuta Indigenous Communities is called bonding social capital, namely social capital formed based on horizontal relationships, and each member is united by norms, customs, and beliefs. Meanwhile, newcomers in Dusun Satu, Sipituhuta Village, build social relations with land owners who are local residents in the area.

The success of the Pandumaan and Sipituhuta Indigenous Communities in gaining legitimacy over their customary forests is also inseparable from social capital through relations with NGOs. Bourdieu (1990) exemplifies the success of the Kabyle farming community in Algeria who can mobilize several people who are ready to fight. The relations of the Pandumaan and Sipituhuta Indigenous Communities with NGOs are their social capital in fighting for customary forests. KSPPM plays a role in facilitating legal and political discussions, organizing and providing political education in the village, and conducting litigation and non-litigation advocacy when criminal cases occur. KSPPM also helps communities prepare documents for the requirements for the rights of indigenous communities as regulated in the Regulation of the Minister of Home Affairs Number 52 of 2014, such as conducting participatory mapping of their management areas. On October 19, 2011, KSPPM and the Aliansi Masyarakat Adat Nusantara (AMAN) facilitated the community in the formation of AMAN Tano Batak to expand the resistance movement. AMAN Tano Batak supports the movement to revitalize the identity of the Pandumaan and Sipituhuta Indigenous Peoples through the reconstruction of the identity of the Batak indigenous people based on territorial and genealogical aspects.

Furthermore, research conducted by Darmawan (2020) shows that social networks with political parties are also a determining factor for communities in obtaining land rights. Darmawan explained that farmers who call themselves Orang Paluh are affiliated with political parties and bureaucracy to resolve agrarian disputes with private plantations in their area. The Pandumaan and Sipituhuta Indigenous Communities also carry out political strategies to obtain land rights. They nominate one of their members with the surname Lumban Gaol as the Humbang Hasundutan Regional People's Representative Council (*Dewan Perwakilan Rakyat Daerah* or DPRD). DPRD is a state institution that has the authority to issue decisions regarding the recognition of indigenous communities. In addition, in 2015 the Pandumaan and Sipituhuta Indigenous Communities also agreed with the Humbang Hasundutan regional head candidate, they offered to give their voting rights to the regional head candidate who was willing to support their struggle. The regional head who was supported by the community won the regional head election. He comes from the Banjarnahor clan, which is one of the descendants of the Marbun clan, like the Lumban Batu and Lumban Gaol clans in Pandumaan and Sipituhuta villages.

Type 3: Power Built on Cultural Capital

Cultural capital is the entirety of cultural codes that live in a particular community, which are believed and recognized for their value and play a role in determining and reproducing social positions (to gain power and status) (Bourdieu, 1990). Bourdieu also categorizes cultural capital as a form of internalized knowledge. Mardiana (2017) uses Foucault's concept of knowledge to explain the types of knowledge built by actors in gaining access to forests. This study identifies two types of knowledge possessed by actors in accessing forest resources, namely knowledge about economic development and knowledge about the rights of indigenous peoples. Mardiana explains that this knowledge competes with each other in building discourse to obtain rights and access to land because according to him, knowledge can empower authority so that it can be used to build territorialization in agrarian space.

Cultural capital owned by the government is based on authority or authority in forest control. Ribot & Peluso (2003) refers to authority as a form of structural and relational access mechanism, which is an important factor in gaining access because the owner of the authority will be the node of the web of power in accessing resources. Based on the authority held, the government transferred forest control rights to PT TPL. The legal access held by PT TPL is in the form of a Decree on the Business Permit for the IUPHHK-HT through the Decree of the Minister of Forestry Number 493/Kpts-II/1992 dated June 1, 1992, concerning the Granting of Industrial Plantation Forest Business Rights with a concession area of 269,060 hectares. Then, the decree underwent eight revisions, the last of which was Decree 307/Menlhk/Setjen/HPL.0/7/2020, with a concession area of 167,912 hectares. Granting permits to companies shows that forest management is only profit-oriented. According to de Soto (2000), land grabbing carried out by the state is based on the assumption that informal ownership status (according to the community) is considered 'dead land for the poor,' making it less attractive as a productive economic asset.

The Pandumaan and Sipituhuta Indigenous Communities also utilize cultural capital in the form of local knowledge, which is used as a guideline for living and managing natural resources. This capital is used to obtain legal recognition from the state. In her dissertation, Abdulkadir-Sunito (2018) explains that ethnic identity can be used to negotiate access rights and control over natural resources. In the case of the Pandumaan and Sipituhuta Indigenous Communities, this ethnic identity is used to legally obtain rights and access to customary forests. Self-identification as an indigenous community based on ethnic identity in the concept of Bourdieu (1990) is categorized as bodily cultural capital or a symbolic form of internalized culture. The Pandumaan and Sipituhuta Indigenous Communities reconstructed and revitalized their cultural identity based on the local knowledge they have to gain legal recognition from the state, for example, through documenting the history of their existence in the village, the history of the use of natural resources, and mapping customary areas. According to Adila & Alexandra (2025), the use of indigenous identity as cultural capital is a strategy for gaining access to natural resources.

After a long struggle, the Pandumaan and Sipituhuta Indigenous Peoples succeeded in gaining recognition from the state through the issuance of Regional Regulation Number 3 of 2019 concerning the Recognition and Protection of the Pandumaan and Sipituhuta Customary Communities. After gaining recognition as legal subjects, the Ministry of Environment and Forestry established their customary forests through the Decree of the Minister of Environment and Forestry Number SK.5082/Menlhk-PSKL/PKTHA/PSL.1/8/2021 2021 concerning Amendments to the Decree of the Minister of Environment and Forestry Number SK.8172/MENLHK-PSKL/PKTHA/PSL.1/12/2020

concerning the Determination of the *Tombak Haminjon* Customary Forest for the Pandumaan-Sipituhuta Customary Community covering an area of 4,399.83 hectares, consisting of 182 hectares with a protective function and 4,217.83 hectares with a production function. This success shows that the community can influence the concept of knowledge about development held by the state through the power and capital they have. This is in line with Bryant (1992) who perceives that a country's policies are not developed in a political vacuum because a policy is the result of the struggle of competing actors to influence policy formulation.

Similar to the Indigenous Communities of Pandumaan and Sipituhuta, the people of Pansur Batu also possess cultural capital in managing *tombak haminjon*. They use the same methods for tapping *haminjon* resin. The *raja bius* in this village also shares the same clan as the *raja bius* in Pandumaan and Sipituhuta, namely the Lumban Batu clan. However, unlike these other communities, they do not seek state recognition for their customary forest. Instead, they collaborate with PT TPL to plant eucalyptus around their residential areas. This capital is used by the people of Pansur Batu to access their *tombak haminjon*, which has been recognized as the Pandumaan and Sipituhuta Customary Forest.

The next actor who uses cultural capital to influence the access of the Pandumaan and Sipituhuta Indigenous Communities to gain access to forest resources is their NGO companions. NGOs have good knowledge of the rights of indigenous peoples, which are used to support the community in fighting for their rights. This support is given through education, campaigns, training, and assistance. In addition, Bourdieu (1990) also identified a form of institutionalized cultural capital. This form of cultural capital is owned by AMAN because this NGO is officially in the Department of Justice and Human Rights, so it has strong legal legitimacy.

Type 4: Power Built on Symbolic Capital

Bourdieu (1990) defines symbolic capital as cultural symbols that can strengthen the position of an agent among other agents. Symbolic capital is related to symbolic power, namely the power that allows someone to obtain a certain position. *Raja bius* is a clan group that is highly respected by the indigenous people in Pandumaan and Sipituhuta Villages because they are the clans that opened the villages in both villages. *Raja bius* in Pandumaan and Sipituhuta Villages are the Lumban Batu and Lumban Gaol clans. They have a role in regulating life in the village, including in the management of natural resources. Meanwhile, other clans besides the Lumban Batu and Lumban Gaol clans are called *marga boru*. They live in these two villages and manage the *tombak haminjon* based on permission from the *raja bius*. The process of granting permission is carried out through a traditional ceremony followed by the offering of a horse or buffalo. After obtaining permission from the *raja bius*, the *marga boru* is entitled to obtain rights to a plot of cultivated land measuring 800 m². This management right can be transferred to the descendants of the *marga boru* based on permission from the *raja bius*.

In fighting for customary forests, the *raja bius* and *marga boru* who are village elders, act as coordinators in every resistance activity. Customary figures who have a central role in the struggle include James Sinambela as the head of the movement, Kersi Sihite as secretary, and Ama Ros Nainggolan as treasurer. The interesting thing is that the three figures are *marga boru* in both villages. However, in decision-making, they always involve the role of the *raja bius*. In addition to the *raja bius* and *marga boru*, church leaders are also involved in the struggle of indigenous peoples. In his research, Firmando (2021) stated that church leaders have *sahala* because they are role models for their congregation. *Sahala* is a characteristic of people who have special skills or abilities that are higher than others. In Pandumaan and Sipituhuta, a priest with the surname Sinambela is often trusted to be a representative of the community to attend various important meetings with the government, such as in 2016 when he represented the community in a meeting with President Joko Widodo at the State Palace to receive the decree on the reservation of customary forests together with nine other customary communities.

The Working of Power and Authority in the Struggle for Access to Forest Resources

Forest control in Pandumaan and Sipituhuta Villages illustrates a complex power relationship because each actor has different interests in the forest. PT TPL engaged in a property relation with the KLHK by constructing policy products that legitimize PT TPL's HTI concession. KLHK is an actor that has the power and authority to determine who can and cannot utilize forest resources because the government has a rights-based access mechanism. Ribot & Peluso (2003) stated that authority is the most important point in gaining access because the authority holder is the node of the web of power in

accessing resources. The government establishes property relations with PT TPL by granting concessions to the company for eucalyptus planting. However, PT TPL not only establishes power relations with the government but also with the community in Huta Marade, Sipituhuta Village, and Pansur Batu Village to gain informal legitimacy and try to weaken the community's struggle.

On the other hand, the Indigenous Communities of Pandumaan and Sipituhuta have sought to defend their rights over forest resources through the recognition of customary forests. According to Sikor & Lund (2009), individuals will always attempt to turn access to resources into recognized and legitimized property. Access and authority influence power, as they strengthen those in authority to control (allocate, enforce, and adjudicate) access (Ribot & Peluso, 2003).

Furthermore, there are four forms of capital that actors use to access natural resources: economic capital, social capital, cultural capital, and symbolic capital (Bourdieu, 1990). As a space of contestation, the arena—in this case, the arena of forest resource struggles—represents a configuration of power or power relations. Power is closely linked to the ownership of capital. Within an arena, actors invest and compete for capital (Walther, 2014). The capital possessed by each actor enables them to be present and exert influence in the arena, playing a significant role in determining their position. Haryatmoko (2013) adds that power relations can be mapped through the ownership of capital. Through capital ownership, each actor races to embody their perceptions or pursue their values. With that capital, each actor operates according to the functions shaped within the arena.

Table 2. Equality parameters for each actor with an interest in the forest area in Pandumaan and Sipituhuta Villages

Equality Parameters	Interested Actors		
	PT. TPL	Pandumaan-Sipituhuta Indigenous Community	Pansur Batu Indigenous Community
How to gain legitimacy	Building power relations with the central government	Building power relations with NGOs and local political elites	Building power relations with the Pandumaan-Sipituhuta Indigenous Community
The right to access forest land	Legitimate under state law	Legitimate based on conventional (customary) rights which are then legitimized by the state through the determination of indigenous communities and customary forests	Legitimate based on conventional (customary) rights
Dominant Capital	Economic capital	Social capital through relations with NGOs and local political elites	Social capital through relations with the Pandumaan-Sipituhuta community
Forest tenure status	High, but the ownership status becomes non-existent after the determination of customary forests	Currently	Low
Power level	Have power and authority	Have power and authority based on customary law	Have power

The land that was concessioned to PT TPL is the management area of the Pandumaan and Sipituhuta Indigenous Communities. The Pandumaan and Sipituhuta Indigenous Communities (*raja bius* and *marga boru*) are trying to maintain access through relations with NGOs at the local and international levels to encourage recognition of indigenous peoples' rights. In addition, they are also making authority relations efforts with the Regent of Humbang Hasundutan, who is a descendant of the Marbun clan, so he is considered capable of understanding the history of the Pandumaan and Sipituhuta Indigenous Communities. One of his roles is to hold meetings with the Ministry of Environment and Forestry to convey community protests because there has been a reduction in the area of customary forests in Decree 8172 of 2020, which only stipulates that the Pandumaan and Sipituhuta customary forests are 2,393.83 hectares, whereas the customary forests previously stipulated in the Humbang Hasundutan Regent's Decree were 6,186.17 hectares. Therefore, in 2021, the Ministry of Environment and Forestry revised the area of customary forests based on Decree 5082 by determining the Pandumaan and Sipituhuta customary forests to be 4,217.83 hectares.

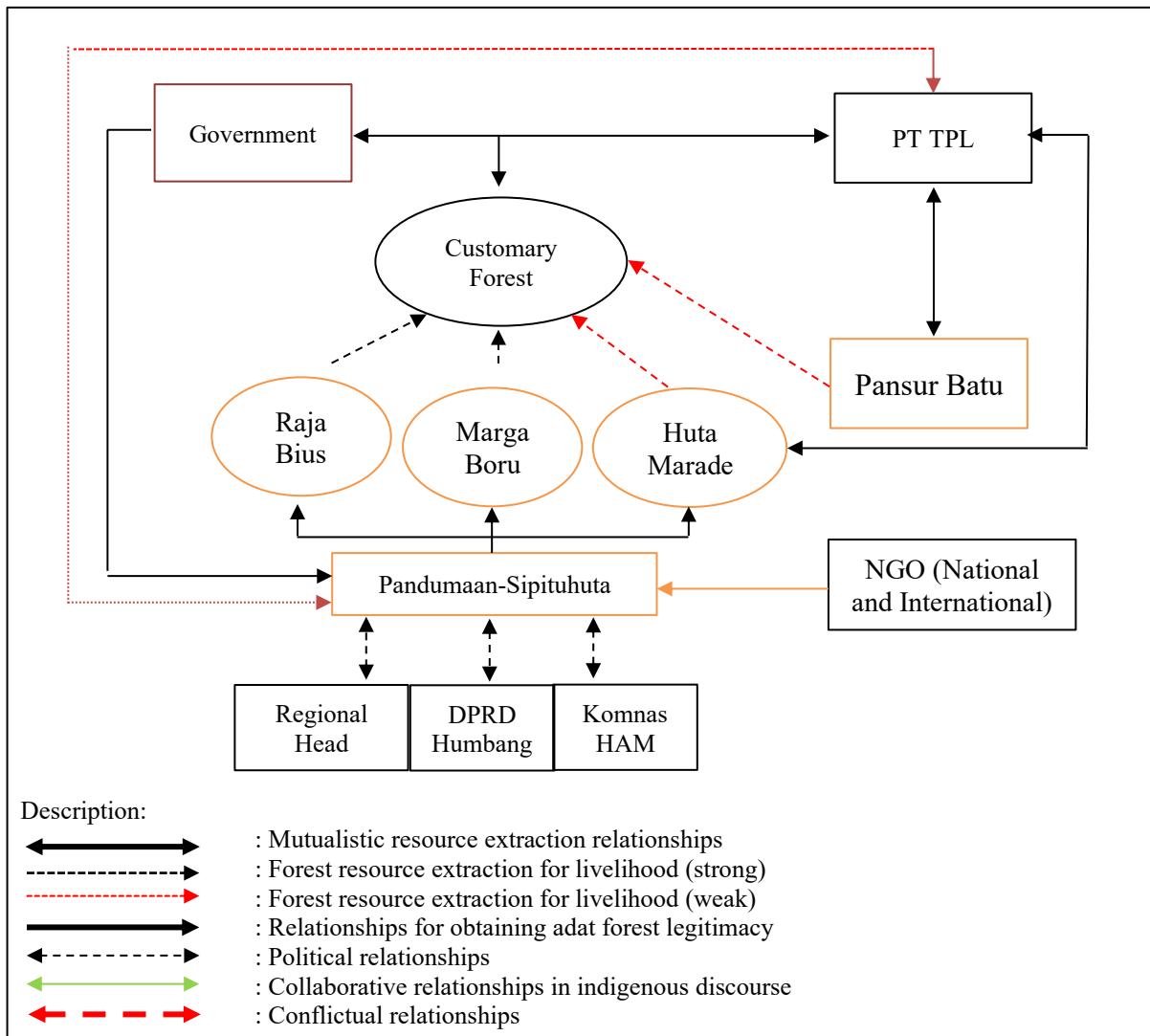


Figure 5. Power relations of actors in accessing forest resources during PT. TPL's concession period

The community also built political relations to strengthen the movement. They supported one of their citizens to become a member of the DPRD in 2014. Having community representatives in the DPRD is very important because this institution plays a role in the process of recognizing indigenous peoples through regional regulations. However, having one representative in the DPRD has not been able to encourage the issuance of regional regulations on the recognition of indigenous peoples, so they expanded their political relations with regional leader candidates. They made a political agreement with three Humbang Hansundutan Regent candidates to give their votes on the condition that the candidates would support their struggle. The population of Pandumaan and Sipituhuta, which reached 3,272 people, became an attraction for regional leader candidates. The election results determined that one of the candidates they supported won the regional head election. In addition, relations with state institutions were also carried out at the national level, namely with the Human Rights Commission (Komnas HAM). Komnas HAM investigated violations of indigenous peoples' rights in forest areas carried out by companies. Based on the results of the investigation, Komnas HAM urged the Humbang Hasundutan Regent to immediately issue a regional regulation on the recognition of indigenous peoples. The success of the Pandumaan and Sipituhuta Indigenous Communities in gaining recognition from the state shows that access to natural resources always changes depending on the position and power of individuals or groups (Ribot & Peluso, 2003). They managed to mobilize the masses effectively and build large-scale alliances, thereby increasing their bargaining power over resources, capabilities, strategies, and relationships that further expanded their movement.

The recognition of customary forests demonstrates that access is constantly shifting, depending on the position and power of individuals or groups within various social relationships and political-economic contexts – referred to as access relations (Ribot and Peluso, 2003). According to Mardiana (2017), access relations should be understood as a process of regular, reciprocal interaction. In each access relationship, actors evaluate the extent of the benefits they can gain. Every actor offers an exchange of benefits within these relationships, implying that betrayal of the invested effort is an inherent and unavoidable risk. Similar to conventional economic reasoning, decision-making tends to be driven by the pursuit of optimal outcomes – reflecting a fundamental human tendency to maximize benefits. Various strategies may be employed to achieve these benefits. In other words, access relations serve as political vehicles through which natural resources are accessed to extract the greatest possible advantage. These relations operate continuously within a dynamic of structured and restructured interactions. Access relations are closely tied to power and authority – the greater the authority, the broader the scale of power, which can ultimately be used to establish the legitimacy of that authority within a formal legal framework.

In the context of political ecology, contestation within a particular arena occurs as actors seek to gain power and access to natural resources. This contestation persists until it produces legitimacy and legal recognition from other parties. Bryant (1992) asserts that state policies are not formed in a political or economic vacuum; instead, they arise from the struggles of competing actors aiming to influence policy-making. This also applies to land policy-making processes, which are shaped by power struggles, contestation, and negotiation. Power is not merely about domination of one actor over another, but rather about the capacity to achieve specific objectives. This capacity is largely determined by the capital each actor possesses.

Access relations shape the process of capital formation, which subsequently enables the expansion of authority. The more capital an actor possesses, the greater their authority. Capital ownership determines an individual's capacity to exercise power, enabling the use of capital-power to access agrarian resources and build territorial claims over agrarian spaces. In seeking to defend their access, actors strive to convert it into property by acquiring legitimacy through existing laws and regulations (Sikor & Lund, 2009). This is accomplished by cultivating authority relations. As Ribot and Peluso (2003) explain, turning access into property depends on how authority is constructed, reinforced, or dismantled. In this way, power is used to gain access, while authority serves to legitimize ownership. The conceptual framework of this research is illustrated in the Figure 6.

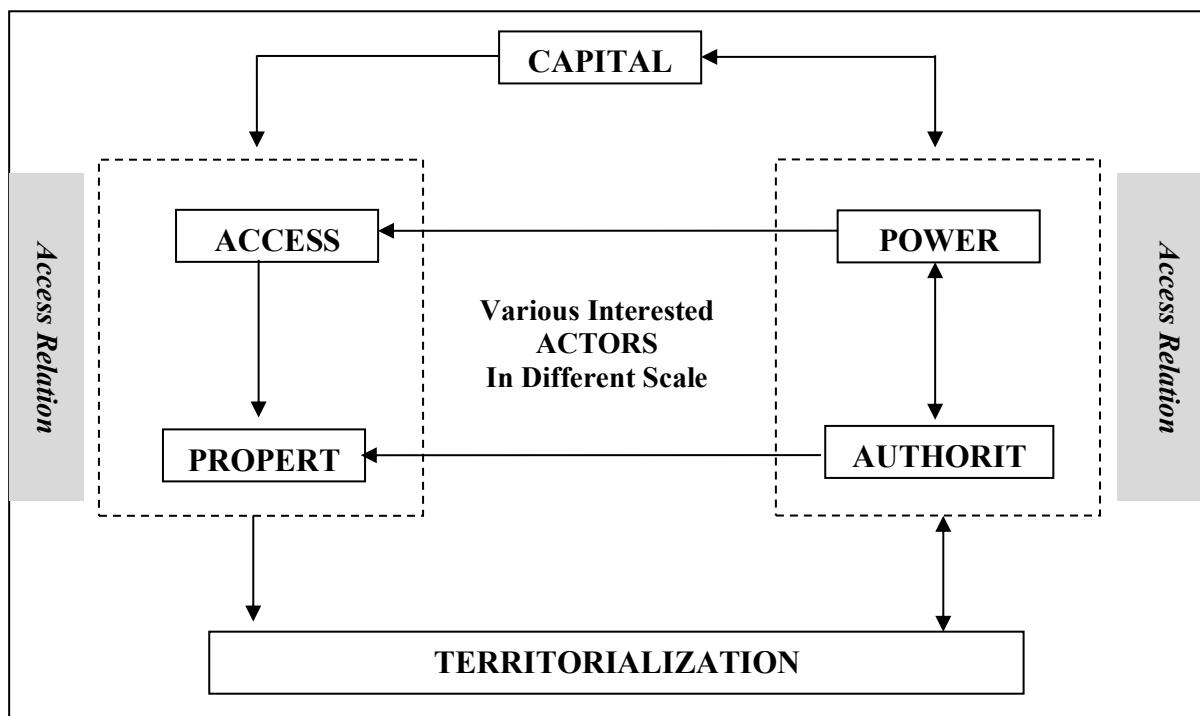


Figure 6. Capital, access relations, and territorialization

Post-Recognition Conflict Dynamics of the Pandumaan and Sipituhuta Customary Forest

The classical concept of customary law defines *ulayat* rights as the authority of customary-based communities to regulate the control, use, and management of their territories and the natural resources within them. The control, use, and management of customary territories are inherently plural, especially when associated with the various social groups inhabiting a particular area. According to Kelompok Studi dan Pengembangan Prakarsa Masyarakat (2022), land rights under the *ulayat* land concept are not necessarily communal and conservative, as often interpreted by verification teams during the customary forest verification process in Pandumaan and Sipituhuta. Furthermore, Sembiring and Simarmata explain that there are three categories of customary land: *ulayat* land with a public-private character, communal land, and individually owned land with a private character. Several customary laws recognize individual (or family/private) ownership, with its distribution regulated through customary legal mechanisms.

The government and indigenous communities hold different conceptions of the public-private dimensions of *ulayat* land and customary forests. The government tends to adopt the view that both ownership and management of customary forests must be conducted communally (by a family, community, or *bius*), and that the land must serve solely as forest, without any other permitted uses. This divergence in interpretation has led the verification team to repeatedly pose the question: "Is the *tombak haminjon* proposed as a customary forest individually or communally owned?" According to the community, *haminjon* trees are indeed individually owned – but only the standing trees (the above-ground biomass), while the land itself is communally owned. The standing *tombak haminjon* trees cannot be sold without complying with customary law. If, for certain reasons, the trees can no longer be managed, an individual may sell or pawn them to a relative from the same clan.

Another issue arises from the fact that part of the territory managed by the people of Pansur Batu Village falls within the *tombak haminjon* area that has already been recognized as the Pandumaan and Sipituhuta customary forest. This internal dynamic appears to be treated as a taboo by the verification team, as the Pandumaan and Sipituhuta indigenous Communities are perceived to have encroached on *haminjon* land claimed by the Pansur Batu community. The overlapping ownership of *tombak haminjon* in the same area stems from kinship ties between communities and historical circumstances such as inheritance from families originally from neighboring villages, pawning arrangements, or land transactions (*dondon*) among relatives. This phenomenon is common in customary land tenure systems, as customary territories do not conform to the administrative boundaries established by the government. Consequently, individuals who share common ancestry may end up managing overlapping areas. Although the *tombak haminjon* owned by the Pansur Batu community has been included in the officially recognized Pandumaan and Sipituhuta customary forest, they have not been prohibited from continuing to manage their *haminjon* plots. However, there remains a persistent concern that future generations may eventually be denied access to these lands.

In addition, Sipituhuta Village is home to people from other ethnic groups – such as Javanese, Sundanese, Minangkabau, and Padang – who have settled in the area since 2013 to engage in trade around Humbang Hasundutan Regency. They have established a settlement known as *Huta Muslim*, named so because all of its residents are Muslim. Currently, around 50 households reside in *Huta Muslim*. The presence of migrants in Sipituhuta Village is seen as problematic by the customary forest verification team, as they believe that customary land should not be subject to sale or purchase. Meanwhile, the Sipituhuta community acknowledges these migrants in administrative terms but does not recognize them as members of the indigenous community. As a result, they are not granted access to agrarian resources governed by customary law, such as *tombak haminjon*. Their participation in traditional ceremonies is also limited, although they are still expected to adhere to the prevailing customary norms.

"So here's the thing – administratively, they may fall under the jurisdiction of Sipituhuta Village, and that status needs to be protected administratively. KSPPM conducted a study first before assisting them, to verify whether they truly qualify as Indigenous Peoples, both territorially and genealogically. But we didn't want to blindly claim that the residents of the Muslim huta are part of the Sipituhuta Indigenous Community. They are merely part of the village in an administrative sense. If there happens to be vacant land (from the state's perspective), well, in the Batak context there's actually no such thing as vacant land – so if, according to Batak customary law, they wish to manage it, that's generally acceptable. So,

these migrants are not part of the indigenous community; they are simply caught within the administrative boundaries of Sipituhuta Village. When the local government distributed questionnaires during the verification process, those people weren't included." (Informal interview, October 2022)

CONCLUSION

The results of this study indicate that the dynamics of control and utilization of forest resources in Pandumaan and Sipituhuta Villages are colored by the strong struggle for claims to resources among various actors. This struggle is caused by the dynamics of access and property that are quite complex. The state territorializes the forest area which is the management area of the Pandumaan and Sipituhuta Indigenous Communities, then transfers its control rights to the private sector (private property). Meanwhile, in the narrative of indigenous communities, the forest belongs to them as heirs of their ancestors who have utilized the forest for generations (customary property right). The actors build power based on the capital they have to compete for natural resources. The forms of power include power built on economic capital, social capital, cultural capital, and symbolic capital. PT TPL is more dominant in building power based on economic capital. This company obtains the right to access forest resources through a rights-based access mechanism because of legal recognition from the state. Meanwhile, the Pandumaan and Sipituhuta Indigenous Communities are more dominant in building power based on ownership of cultural capital and social capital to fight for recognition of indigenous peoples' rights.

To maintain their access, each actor tries to gain access to a property to gain legitimacy from applicable laws or legal regulations. The Pandumaan and Sipituhuta Indigenous Communities reconstruct and revitalize their indigenous identity to gain legal access to natural resources. They strengthen their customary rules, customary institutions, and customary ceremonies and map their customary territories. This documentation is a prerequisite for gaining recognition of the rights of indigenous peoples. The community also builds relationships with NGOs from local to international levels and conducts authority relations with political elites in the region. The relationship built by the Pandumaan and Sipituhuta Indigenous Communities with political elites is mutualistic in the context of political ecology. The community needs guarantees for their territory, while the political elite needs the community's right to vote in regional head elections. The community also builds relationships with the National Human Rights Commission, a state institution that must protect citizens' rights. The National Human Rights Commission investigates human rights violations committed by PT TPL, then becomes a 'tool' for the community to demand their rights that have been violated. After a long struggle, the Pandumaan and Sipituhuta Indigenous Peoples succeeded in gaining recognition from the state.

From the power relations built by each actor, it can be seen that the dynamics of resource control in the forest area in Pandumaan and Sipituhuta Villages are colored by various forms of actor interests. This also emphasizes how complicated the process of legal recognition of indigenous peoples' rights is, but they have lost other alternatives to protect their land other than through the determination of customary forests. This complexity is caused by several factors, namely, the procedure for state legal recognition has changed over time, and this process requires two stages of recognition, namely legal recognition as a subject of indigenous peoples and the determination of customary forests. This shows that legal recognition is not just a legal process, but there is also a political process. The complexity of the process of determining customary forests can also be seen from the differences in interpretation of the concept of customary forests between the community and the government. The government considers that the concept of customary land is communal which is managed by one family/community/*bius* with a single function as a forest, without any other activities. Meanwhile, according to the community, the land in the customary forest is indeed owned communally, but the frankincense tree stands are managed individually by the community.

The customary forest verification team also questioned the status of immigrants from Javanese, Sundanese, Minangkabau, and Padang ethnic groups who opened settlements in Sipituhuta Village through a land sale and purchase process with local residents. Their existence is recognized administratively by the village government, but they are not identified as indigenous people; they can access customary land in the settlement but cannot access the *tombak haminjon* because the transfer of ownership of the *tombak haminjon* can only be carried out by residents from the same clan. After obtaining the determination of customary forests, the Pandumaan and Sipituhuta communities were also faced with the issue of the *tombak haminjon* boundary with the Pansur Batu community. Some of the *tombak* belonging to the Pansur Batu community entered the customary forest that had been determined

as belonging to Pandumaan and Sipituhuta. This fact shows that the determination of customary forests can indeed reduce conflict but cannot end the conflict if the recognition process is only partial.

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