

Land Access, Exclusion, and Conflict in the Dynamics of Agrarian Changes in Forest Areas of Napal Putih Village, Tebo District, Sumatra

Akses Lahan, Ekstusi, dan Konflik dalam Dinamika Perubahan Agraria di Kawasan Hutan di Desa Napal Putih, Kabupaten Tebo, Sumatra

Muhammad Reza Halomoan^{1*)}, Arya Hadi Dharmawan, Satyawan Sunito

¹Department of Communication and Community Development Science, Faculty of Human Ecology, IPB University, Jl. Kamper Darmaga, Bogor 16680, Indonesia

^{*)}Correspondence e-mail: reza.halomoan@apps.ipb.ac.id

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ABSTRACT

Extraction activities in forest areas in Indonesia have led to drastic changes in the ecological balance of forest regions. The Indonesian government responded by implementing the concept of Industrial Plantation Forest (HTI), which was granted to the private sector to address the damage caused by forest extraction while utilizing unproductive forest land. However, this policy failed to consider the presence of communities that controlled and utilized land. This triggered agrarian conflicts because of differing claims over land. Using qualitative research methods, this paper explores the issue of agrarian conflict through a political ecological analysis within the theoretical framework of access and exclusion. Thus, it elucidates why forest area conflicts in Napal Putih occur, who the actors are involved in each contestation process, and how the relationships among actors take shape.

Keywords: agrarian changes, agrarian conflict, land access, land exclusion, forest area



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INTRODUCTION

The island of Sumatra is one of the areas of Indonesia that has lost its natural forest cover due to one of Indonesia's poor forestry political and economic policies, namely, Forest Concession Rights (*Hak Pengusahaan Hutan* or HPH), which grant licenses to private parties to carry out forest timber extraction activities (Ardhana, 2016; Hidayat, 2011; Nakita & Najicha, 2022; Resosudarmo & Sunderlin, 1997). Since 1990, Sumatra has lost 12 million hectare of natural forest cover and has caused drastic changes in the natural ecosystems of forest areas (Laumonier et al., 2010; Setiawan et al., 2016; Yuliani et al., 2020). This was then responded to by the Indonesian government through the Industrial Plantation Forest (*Hutan Tanaman Industri* or HTI) policy, which is expected to be able to overcome ecological damage and take advantage of production forest areas that are no longer productive (Kartodihardjo & Supriono, 2000; Mardiana, 2017), which permits land control in forest areas to be granted to private parties and are generally utilized as monoculture plantation areas for forestry commodities such as rubber, acacia, and teak. Ironically, this policy actually encourages the transition of land use for the growth and expansion of export-oriented commodities into forest areas, leading to ecological and socio-economic impacts (Drescher et al., 2016; Ekadinata & Vincent, 2011; Villamor et al., 2015; Warren-Thomas et al., 2018)

Land conflicts between communities within forest areas and concession-holding companies are one form of socio-economic impact that occurs. The issuance of HTI permits, without considering the actual situation in which communities managing forest land led to overlapping claims between communities and companies (Li, 2018; Sunito et al., 2012). This number ranks second among all provinces in Indonesia. The conflicts predominantly involved plantation areas with 11 cases and forest areas with nine cases. Some conflicts in forest areas have been longstanding and remain unresolved to this day, underscoring the need for open efforts towards conflict resolution (McPeak & Little, 2018).

The Indonesian government subsequently introduced the Social Forestry program in an effort to resolve conflicts occurring in forested areas (Abimanyu, 2023; Murti, 2019). This program is defined as a communities-based sustainable management system in forest areas, with the goal of improving community welfare through the involvement and granting of rights to communities in the management of forest resources (Rakatama & Pandit, 2020; Zakaria et al., 2018). However, in its implementation, this program is not fully accepted by communities located in the forest area because of differences in desires and perceptions among the actors (Supriyanto et al., 2021; Weni et al., 2020). Apart from not granting ownership rights to the communities, this program also fails to accommodate the existence of palm oil commodities owned by the local community. This is because palm oil is categorized under Forestry Law No. 5 of 1967 as a non-forestry plant, and is prohibited from cultivation within forest areas. The high economic value of palm oil in the international market, its ease of cultivation in Indonesia's fertile tropical lands, and the development of the palm oil industry as a rural economic development strategy in Indonesia are factors that drive communities to enter a circuit of palm oil production (Dharmawan et al., 2020; Gatto et al., 2015; Sayer et al., 2012; Yulian et al., 2020).

The socio-economic dynamics occurring in the forest areas mentioned above illustrate how access and exclusion operate within the contestation of forest land utilization. Ribot & Peluso (2003) define access as the ability of an individual to benefit from something. Meanwhile, the concept of exclusion itself was developed by Hall et al. (2011) as a situation in which someone is prevented from benefiting from something. Abdulkadir-Sunito (2018) suggests that both concepts are simultaneous processes but result in opposing impacts; in other words, every effort to gain access also involves exclusion. Furthermore, these two concepts analyse a land contestation beyond mere rights or property concepts, but also delve into the power inherent in each actor. The interactions of these powers then shape the relationships among them, whether in the form of cooperation, competition, conflict, or negotiation (Peluso & Ribot, 2020).

Based on this explanation, this study aims to illustrate the forest area conflict scenario in Jambi by focusing on an ongoing case—the conflict within the HTI concession area in Napal Putih. The Social Forestry Program has also been proposed as a solution to the agrarian conflict in Napal Putih. However, this programme remains largely unaccepted, resulting in the continuation of the conflict. From the perspective of political ecology and employing the theoretical framework of access and exclusion, the conflict will be explained through the answers to the following questions: (1) why conflicts in the forest area of Napal Putih could occur, (2) who are the actors involved in each contestation process that occurs, and (3) how the relationship is formed between the actors involved in the conflict.

METHOD

This research employs a case study approach, in which the author collects data that comprehensively describe field conditions. This process generates abstract and general theories about the processes of actions or social interactions from the perspective of the research participants (Creswell, 2010; Syahza, 2016). This research was conducted in Napal Putih Village, Tebo Regency, Jambi Province. The selection of this village is based on the consideration that it is a village where a portion of its territory overlaps with the Industrial HTI concession of PT LAJ, located around the Bukit Tiga Puluh National Park (TNBT) Landscape. The Napal Putih communities within the overlapping area have a high intensity of land-use conflict with the company. This condition has significantly impacted the social situation of the surrounding communities and represents the dynamics of the natural resource conflicts that occur in Jambi.

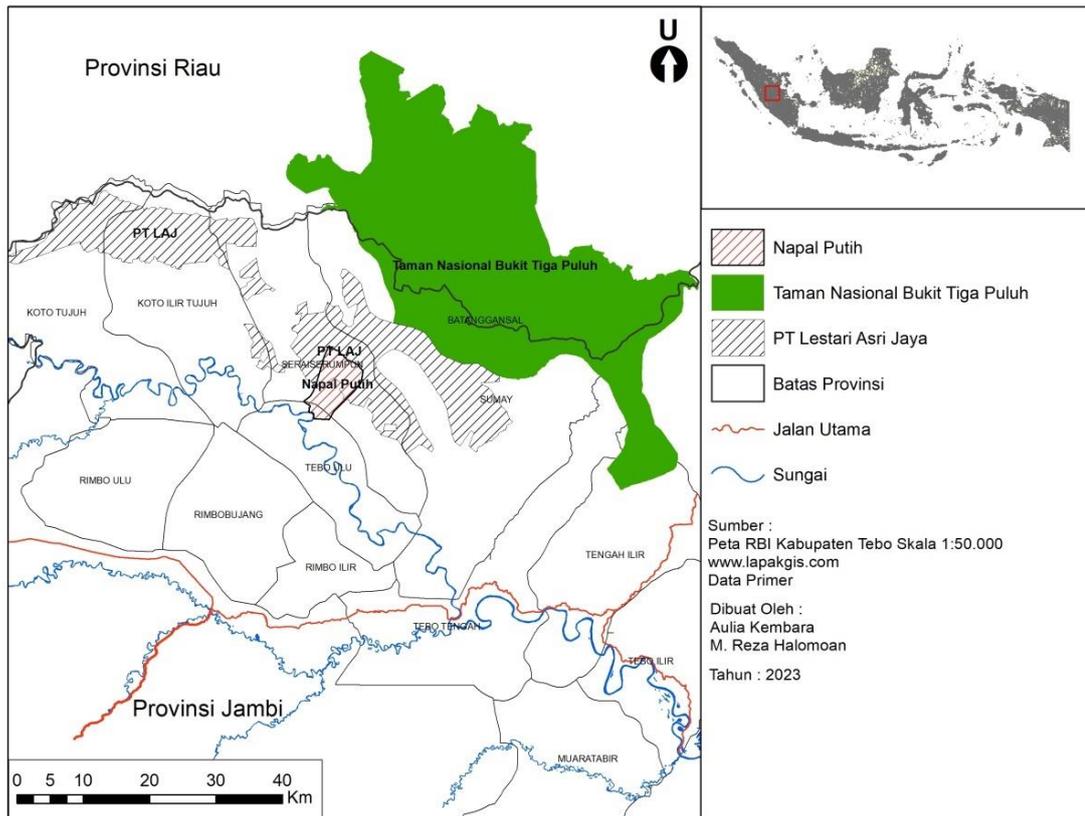


Figure 1. Research location, 2022

Field data collection was conducted by the author in November 2022 and March 2023 using a qualitative data collection method, including in-depth interviews with semi-structured guidelines and focused group discussions with village and regional government representatives. The interviews were conducted using the local Jambi language with 14 key informants who represented both the local community and migrant community from Napal Putih, while the focus group discussions were conducted twice with the village head, village secretary, and three village officials as participants, and with five representatives from KPHP Tebo Barat. All key informants in this study were intentionally and carefully chosen due to their relevant knowledge regarding the researched case (Creswell 2016). The results of the interviews and focus group discussions were then recorded and transcribed. Participatory observations were also conducted alongside the interviews, expanding perspectives, and providing a deeper understanding of everyday activities, working contexts, and cultural contexts. Data collection was concluded upon achieving data saturation (Bowen, 2008; O'Reilly & Parker, 2013). This was achieved when no new information emerged, and the collected data as a whole formed a comprehensive narrative (Otten et al., 2020). The collected data were then analysed using narrative analysis (Neuman, 2013), in which the cases were interpreted within a storytelling framework employing structural elements such as plot, setting, climax, and resolution. Finally, accuracy and reliability in this research were determined through the method of triangulation, involving the use of different methods and data sources to ensure the credibility of this research (Bowen 2008).

RESULTS AND DISCUSSION

Characteristics of the Village and Communities of Napal Putih

Napal Putih is located in the Serai Serumpun Subdistrict, Tebo Regency. The village area is a combination of lowlands and highlands. The lowland is a common condition in Napal Putih, serving as a settlement area and public facility for the communities. The highlands are situated to the north, especially in proximity to the TNBT area. Napal Putih is also commonly known as SP VI, which is a term in the transmigration program, referring to a *Satuan Pemukiman*. This is because Napal Putih was initially established as a transmigration village in 1997, first falling under the administrative jurisdiction of Tebo Ulu Subdistrict and managed administratively by a Technical Implementation Unit (*Kepala Unit Pelaksana Tugas* or KUPT). Napal Putih officially gained its administrative village status after the issuance of Tebo Regency Local Regulation No. 17 of 2004 and became part of the Serai Serumpun Subdistrict's administrative area, with its first Village Head serving until 2022. The total area of Napal Putih village is 39,500 hectares. The main access road to Napal Putih was completed in 2022 from Muara Tebo and crosses the Batang Hari River via a bridge completed in 2017. Previously, residents from the opposite side of the Batang Hari River had reached Napal Putih using daily boat crossings. Furthermore, Napal Putih can also be reached via the plantation road owned by PT RAU, a company partnering with the Napal Putih transmigration communities. Obtaining Internet connections in Napal Putih was challenging. The connection is only available at specific locations and in the village hall. For those living within the forest area, even access to electricity is not available.

The majority of land in Napal Putih is designated for agriculture by the communities, with the main commodity being oil palm. This was because of the initial allocation of transmigration land for oil palm cultivation. Additionally, the communities have rubber plantations, especially in areas near forest regions or within the forest area. The majority of the people in Napal Putih are of Javanese ethnicity (including Sundanese), followed by Malay (Malay from Jambi, and outside Jambi) and Batak. Administratively, Napal Putih is divided into 2 Hamlets and 8 neighborhood units (*Rukun Tetangga* or RT), each led by a Hamlet Head and RT Head. Unlike the other RT areas, RT 7 and 8 were situated within state forest areas. Due to regulations prohibiting RT existence within forest areas, the village government transformed these RTs into "Lingkungan" (subdivisions). RT 7 was divided into Lingkungan 1 and Lingkungan 2, whereas RT 8 was divided into Lingkungan 3 and Lingkungan 4. Each of these Lingkungan has its own head as part of the village administration. In Figure 1, an overlapping area between the village (red hatched) and PT LAJ (black hatched) can be observed. RT 7 and RT 8 of Napal Putih are located within this overlapping area.

The communities in RT 7 and 8 in Napal Putih consisted mainly of migrant populations originating from Aceh, North Sumatra, West Sumatra, South Sumatra, Bengkulu, and provinces on Java Island. The communities began to settle in this area in 2010. Their presence in this region was not from transmigration programs like those in other RTs, but rather due to offers of spacious and relatively affordable land from the local communities of Napal Putih and neighboring villages such as Teluk Kual, Pulau Temiang, Bungo Tanjung, and Muara Kilis. They chose to move and settle in the hope of improving their economic livelihoods. The majority of community members were unaware that the land's status falls under forested areas and has been subject to concessions. The exact number of residents in these two RT areas is not known definitively. Through direct interviews with each subdivision head (as of 2022) in RT 7 and RT 8, there are 150 households in Lingkungan 1 and 120 households in Lingkungan 2, as well as 39 households in Lingkungan 3 and 61 households in Lingkungan 4. Thus, the total number of households in the RT 7 and RT 8 areas amounts to 270 households.

"They (the communities of RT 7 and RT 8) were the underdogs (not recognized). They used to have no villages, and nobody wanted to acknowledge them because they were in the forest area. I was the only village head who first recognized that community, even though they were in the forest area. The reason was to prevent the communities from becoming unruly." (Former Head of Napal Putih Village)

Generally, communities residing in these two RTs work as farmers, with rubber being the main commodity. This is because when the land in this area was initially cleared by the local communities, they were informed that the area was a state-owned forest area and, therefore, should not be planted with oil palm. However, over time, some people from North Sumatra began to replace their crops with oil

palm, aligning with their traditional agricultural practices in their region of origin. Observing the practice of land conversion to oil palm without facing any consequences and considering the benefits and convenience offered, other members of the communities also started transitioning their crops to oil palms.

"Previously, the village head informed us that this land was a Production Forest area, so planting oil palms was not allowed. But now people have planted oil palms and it's not prohibited, so we also joined in planting oil palms " (Mr. MB Head of Lingkungan 4 Napal Putih).

Unlike in other village areas, no facilities were provided by the village in RT 7 and RT 8 areas. All these facilities stem from the collective self-help initiatives of communities. There are several public and social facilities owned by the communities of RT 7 and RT 8, including a primary school affiliated with the village's primary school, a mosque, a cemetery, a market, and security pos. Access to this area is difficult, particularly during the rainy season. People cannot enter or exit without using the appropriate vehicles. The only access to this area is through the former plantation road of PT IFA, which is currently also used by PT LAJ as a connecting road to the plantation area. The demographic dynamics in the RT 7 and RT 8 areas are largely influenced by contestation over land resources, especially since PT LAJ obtained a concession permit in that area.

History of Land Tenure and Agrarian Conflicts in the Forest Area in Napal Putih

Agrarian Changes and Agrarian Conflicts in Napal Putih: 1973-2000

The history of land tenure in the Napal Putih forest area can be traced through the timeline when the HPH was introduced. This policy is legally grounded in Government Regulation No. 21 of 1970 and Government Regulation No. 18 of 1975 concerning Forest Concession Rights and Forest Revenue Collection Rights (*Hak Pengusahaan Hutan dan Hak Pemungutan Hasil Hutan* or HPH and HPHH). After the enactment of these regulations, the government immediately initiated the large-scale exploitation of forest resources, especially in Sumatra, Kalimantan, Sulawesi, Maluku, and Irian Jaya (Papua). Exploitation was carried out by granting HPH and HPHH concessions to both foreign and domestic investors in the form of Private Business Entities (*Badan Usaha Milik Swasta* or BUMS) and State-Owned Business Entities (*Badan Usaha Milik Negara* or BUMN) (Nurjaya, 2005). Through these HPH permits, private parties subsequently engage in forest exploitation activities, commonly known as logging, involving the extraction of timber logs.

In 1973, almost all forests in the Bukit Tiga Puluh Landscape, including the future Napal Putih forest area, were granted HPH permits to PT IFA, a subsidiary of the BPG. With a concession area of 300,000 hectares, PT IFA under BPG was considered one of the cartels or "*naga*" in large-scale land-based businesses in Indonesia (Potter & Lee, 1998; Voxeurop.eu, 2022; World Rainforest Movement, 2013). This HPH concession permit was valid for 20 years until 1993 and extended until July 17, 2008, based on Decree No. 608/Menhut-IV/1993 issued on March 31, 1993. However, in 2001, PT IFA transferred the management of its concession areas to the government. Prior to the formal transfer, the concession area had been neglected since around 2000. The presence of PT IFA's HPH concession opened up previously isolated areas in the forest region. The logging activities of the company led to further accessibility of this forest area, while also causing illegal logging to escalate.

Agrarian Changes and Agrarian Conflict in the Era of Open Access in Napal Putih: 2001-2010

The fall of the Suharto regime in 1998 paved the way for political changes in forest area licensing in Jambi. Out of the total production forest area in Jambi, which was 2,336,619 hectares controlled by 32 HPH through the IUPHHK-HA scheme in the 1970s, the number of remaining IUPHHK-HA permits in 2009 was only two, covering 45,285 hectares and with inactive status. This situation arose due to decentralization, which led to a transfer of licensing authority from the central government to the local government, effectively rendering the HPH concessions in the Jambi province null and void (Muntaza, 2015). The concession of PT IFA, no longer registered and abandoned since 2001, resulted in an open access regime, also referred to by local communities as "*Tanah Tak Bertuan*", allowing anyone to access and utilize the forest area (Hanna et al., 1996). This period of uncertainty in forest area management rights persisted until the issuance of the HTI concession permit for PT LAJ in 2010.

During this period, the communities entered and exploited the former working areas of the HPH. The forest area was rapidly degraded by illegal and unsustainable encroachment activities. In the period of 2004-2010, Eyes on The Forest et al. (2010) reported that the Bukit Tiga Puluh area had lost 205,460 hectares of natural forest. With contributing factors of 45% from HTI concessions operated by paper companies in Jambi and Riau, the remaining 65% of forest destruction was caused by illegal and unsustainable encroachments, primarily carried out by migrant communities from Java, North Sumatra, West Sumatra, and Lampung, for planting rubber, palm oil, and small-scale agricultural crops. Sometimes, the cleared land became "idle land" that was unmanaged yet ready to be traded. These migrant communities entered through local communities from surrounding villages such as Pulau Temiang, Teluk Kual, and Bungo Tanjung, who had opened land since the late 1990s. The migrant community paid compensation known as "*Imas Tumbang*," ranging from five hundred thousand to one million rupiahs per hectare, to local communities to gain land access. This land was then well managed through rubber cultivation, and its success attracted other migrants. This managed and occupied frontier area then created a "transition zone" (Fold & Hirsch, 2009) where land utilization activities by the communities contradicted plantation development, protected areas, and land market formation (Hein, 2019; Peluso & Lund, 2011).

During this period, there was a transfer of land resource control in forest areas from the state and private sector to local communities due to the phenomenon of an open access regime. From a sociocultural perspective, the transition of resource control from local communities to migrant communities during this period was also supported by the economic openness of the local communities, making it easy for them to sell land to migrants. However, the transfer of land control has not yet received formal legal recognition from the state, which makes it unsafe for communities. Documented forms of evidence regarding the transition of land ownership among communities are only in the form of receipts or certificates exchanged between consenting parties. Consequently, community-led land ownership processes persistently include efforts to legitimize these claims to ownership.

Agrarian Changes and Land Claim Struggles in Napal Putih: 2011-2022

Territorialized practices (Li, 2002) carried out by the state through concession permits that continued after a decade of the open access regime. Former HPH areas that had been managed and utilized by local and migrant communities were then granted concession permits by the state to PT LAJ to establish HTI since 2010. The HTI permit granted to PT LAJ covered an area of 61,495 hectares and was valid for 60 years as stated in Decree SK. 141/Menhut-II/31-03-2010. This illustrates the state's tendency to support the private sector. The market's enticing benefits drove the government to issue policies that transformed forests into commercial plantations. With the issuance of this permit, PT LAJ was legally entitled to engage in land clearance activities for rubber plantation commodities.

However, the communities that had occupied the forest areas in Napal Putih refused to relinquish their land. They felt entitled to these lands because they had utilized them beforehand and possessed various forms of ownership evidence, such as certificates from village heads and land handover or compensation documents obtained through buying and selling processes with local communities who previously cleared and controlled the land. Additionally, communities leveraged their local residency status to strengthen their claims. Unclear land rights and ownership, unilateral claims by the state, and the presence of various actors at the site level have led to agrarian conflicts (Juniyanti et al., 2020; Therville et al., 2011).

The Dynamics and Power Relations of Actors in the Agrarian Conflict in the Forest Area in Napal Putih

Land Control by the Communities

Since the logging permit of PT IFA was revoked and returned to the state, many local communities and newcomers have entered and utilized the forest land in Napal Putih. The lack of job opportunities has driven these communities to clear or purchase land within forest areas in the hope of improving their quality of life. The communities' entry and management of the forest area was not done without notifying anyone. They entered the forest area because of invitations from local communities that had previously cleared land. Prior to clearing the land, the communities were first reported to the village heads.

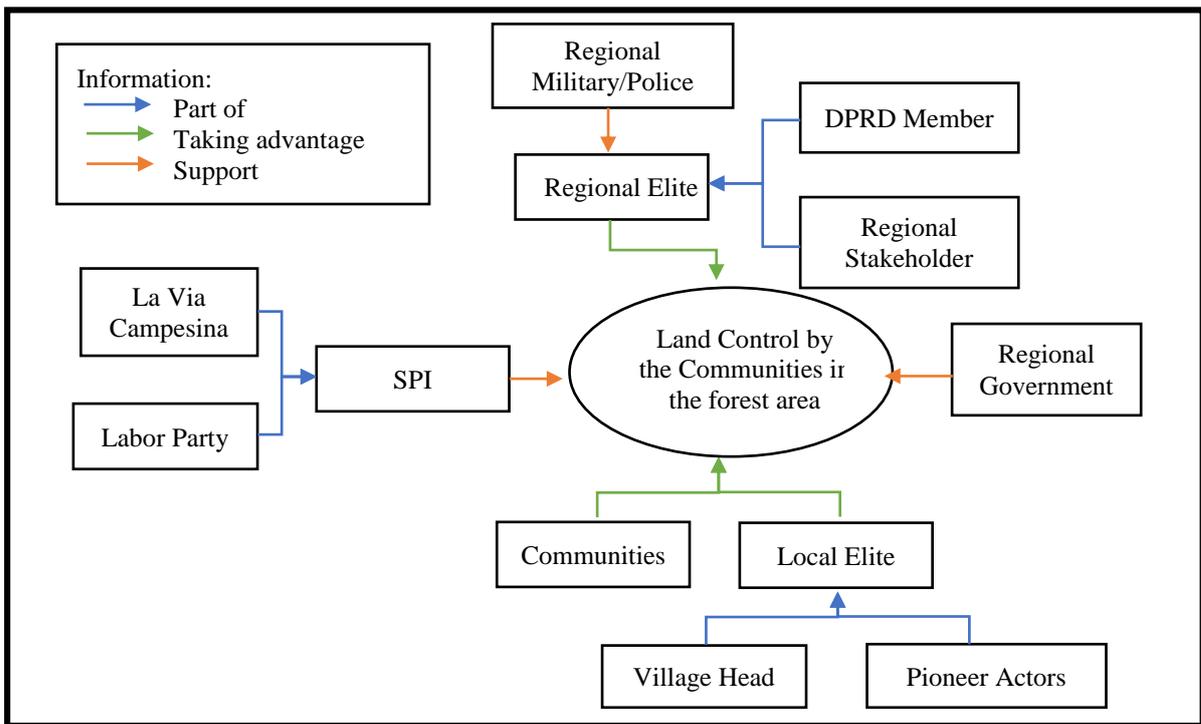


Figure 2. The form of relations between actors in the case of land control by the communities, 2022

The position of the Village Head as the 'ruler' of the forest area within its jurisdiction has become stronger with the advent of the regional autonomy system. Through this system, the Village Head has the authority to engage in territorial politics by allowing and supporting community land clearing and settlement construction within forest areas. Align with Sita (2014), the initiative of “*mendesakan hutan*” (to integrate the forest area into the village) involves acknowledging individuals who own land and live within that area as integral members of the village communities. Using their authority, the village government forms RT that are registered with the sub-district office, even though the area is designated as a forest area. The RT Head in this area was a resident of that locality. The registration process as residents is then regulated and submitted to the district government, allowing communities to obtain new identity cards (*Kartu Tanda Penduduk* or *KTP*) registered with the *Napal Putih* address.

The process of clearing land within the forest area not only involves the Village Head; pioneering actors, who are also local elites, play a direct role in institutionalizing the communities within the forest area. These pioneers have established formal social institutions among communities. These processes of development and formal social institution establishment are deliberately carried out to obtain legitimate recognition of the communities' existence in an area still designated as a forest. The courage of local elites to undertake development within the forest area is also influenced by their interests. Initially, the land cleared within the area was predominantly owned by local officials, members of the local legislative council (*Dewan Perwakilan Rakyat Daerah*, or *DPRD*), and military and police personnel. The local elites felt a sense of impunity due to the backing they received from regional elites who also had direct interests in the land within the *Napal Putih* forest area.

“Obviously we were able to enter because someone opened the door, we couldn't just come here all of a sudden. We first obtained information about the land from Mr. J (the pioneer actor). Mr. J initially negotiated with the local community. With a land-sharing system, Mr. J's share is then divided among the people who want to farm.” (Mr. LH, 53 Years Old *Napal Putih* Migrant Communities Leader)

Furthermore, to obtain protection and strengthen their struggle, local elites and the communities formed organizations affiliated with the national farmer's organization known as the Indonesian Peasant Union (*Serikat Petani Indonesia* or *SPI*). *SPI* is a mass organization advocating for the interests of farmers and agricultural workers in Indonesia. The *SPI* is affiliated with *La Via Campesina*, a global agrarian resistance movement organization with an anti-liberal ideology that advocates the rights of its constituents against globally regulated agricultural corporations (McMichael, 2006; White et al., 2023). The significant role of the *SPI* for the *Napal Putih* communities as a partner and supporter in their

struggle is evident through land ownership certificates and land measurements, the majority of which were facilitated by the SPI. SPI serves as a form of social movement for communities, supporting land redistribution to the poor with the argument that communities should have fair access to productive assets and economic opportunities stemming from the use of productive land (Afiff, 2004; White et al., 2014).

Since President Joko Widodo's leadership period, SPI has been actively advocating, supporting, and fighting for its members' land rights through the Agrarian Reform Object Land (*Tanah Objek Reforma Agraria* or TORA) scheme. This scheme allows land that has been utilized by communities to be released from forest areas and distributed to people. The SPI has been actively supporting President Joko Widodo since 2014, when he first ran for president. Starting in 2021, the SPI has significantly increased its involvement in Indonesia's political landscape by establishing the Labor Party and planning to take part in the 2024 legislative elections. With their organizational integration into the Labor Party, the communities in Napal Putih evolved into foundational support for the party.

Land Control by the Company

PT LAJ is a subsidiary of BPG, which is also the parent company of PT IFA that previously held the HPH concession in the area, which is now the HTI concession of PT LAJ. This illustrates how forest area management by the state heavily favors private parties. By merely establishing a new company, private parties manage to regain their concession rights over forested areas. The BPG itself is a corporate group actively involved in the timber extraction industry since the issuance of HPH permits during the Suharto regime. During the periods of 1994/95 and 1997/98, BPG ranked as the largest timber business group based on the extent of HPH rights, consecutively controlling forest land of 6,125,700 hectares and 5,043,067 hectares, accounting for 9.8 percent of the total HPH permits in these two periods (Brown 1999 in Rachman 2012). Apart from support from the central government, PT LAJ also received support from local elites in the process of obtaining HTI concession permits. Local elites, including village heads, assisted in the Environmental Impact Assessment (AMDAL) permit process, a requirement for obtaining concession permits. The AMDAL permit focuses on the environmental and societal impacts of a business plan, and necessitates the community's involvement in its preparation. Ironically, it disregards the presence of the Napal Putih communities within the forest area, which are directly affected by the HTI concession permit in their territory.

"... I also signed the environmental impact assessment (AMDAL) document for PT LAJ, but at that time LAJ had not yet operated in Napal Putih. So, I told the communities, if they wanted to clear land in the forest area, I didn't encourage it, but I also didn't prohibit it." Former Head of Napal Putih Village

These local elites are not only involved in licensing matters but also assist in the company's land claims. The company forms a team consisting of local elites to identify communities willing to surrender land in exchange for compensation from the company, initially at a rate of 1 million rupiahs per hectare. This compensation money is known as "*tali asih*," which later increased to 8 million rupiahs per hectare. However, this amount remains inadequate compared to the monetary and labor expenses incurred by the communities. For each hectare of land relinquished by the communities, this team received 300,000 rupiah. Hence, this team is also known as the "*Tim 300*". Local elites, who were initially a gateway for the community's access to the forest area, then shifted their support towards the company because of the promise of money from the company. In practice, efforts to acquire land are often fraudulent. Consent documents for land transfer that should be signed by landowners are instead signed by others claiming to be landowners, and these lands are forcibly cleared. Communities are also threatened by legal consequences if they do not surrender their land to a company. These tactics are repeatedly employed and lead to resistance from communities, resulting in open conflicts between the communities and the company.

Five years after obtaining the HTI permit, the BPG formed a joint venture with the French tire manufacturer Michelin. With an initial equity split of 51 percent for BPG and 49 percent for Michelin, these two major stakeholders established a company called PT RLU. The purpose of this collaboration was to develop a sustainable monocultured rubber plantation. In 2016, this joint venture received investment from BNPP, an international bank specializing in green financing, ADMC, an investment company, and a UN agency through the TLFF, a financing platform for commercial ventures related to

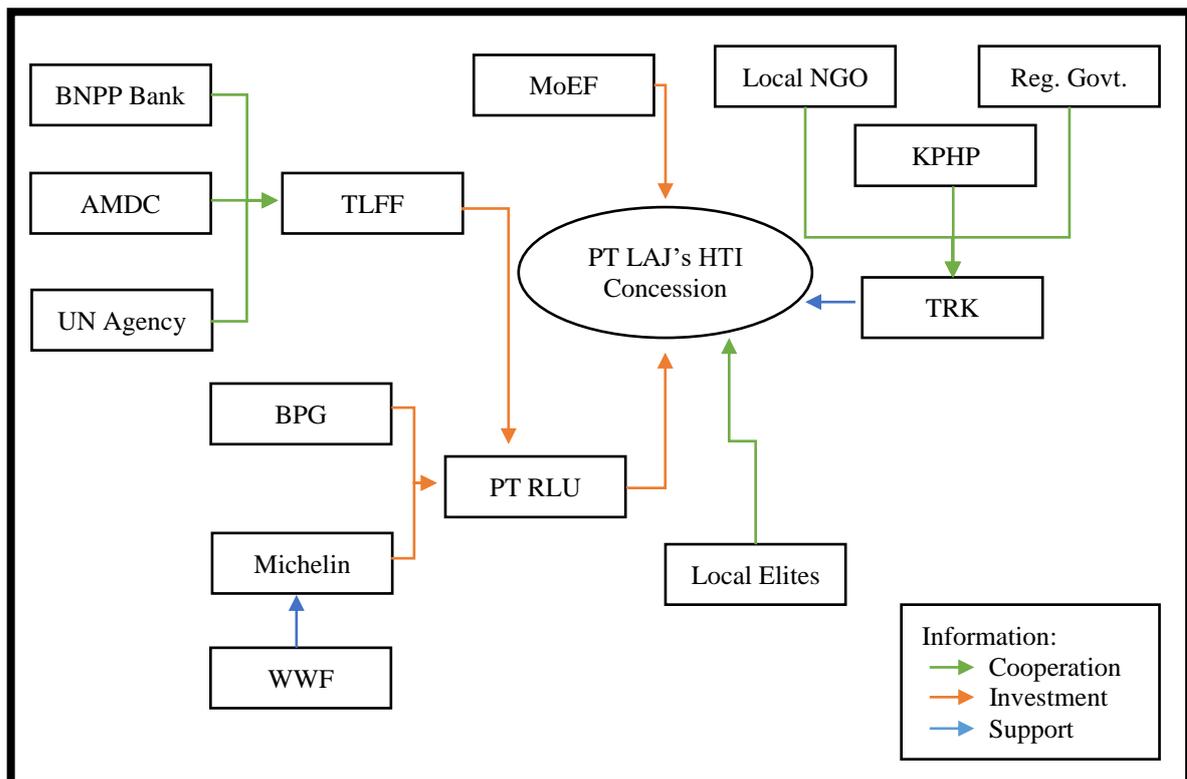


Figure 3. Forms of relations between actors on land control by the company, 2022

the Paris Climate Agreement and Sustainable Development Goals (SDGs). Additionally, this collaborative project involved the WWF, an international environmental NGO, in developing sustainable rubber plantation implementation standards. The main mission of this collaboration was to plant rubber trees to restore forest areas that had been devastated by illegal logging, create job opportunities for local communities, and protect endangered flora and fauna. This aligns with the impression Michelin conveyed to investors and consumers as a giant tire producer committed to responsible and sustainable practices in the rubber industry. This is even more seen as "irony" because BPG itself is one of the main actors in the history of destruction of forest areas in Indonesia through HPH concession permits obtained through its former subsidiary, PT IFA. Without needing to account for the impact that has been caused by BPG, they have returned to get a concession permit to control the forest area that they previously destroyed.

The influx of this investment has influenced PT LAJ's stance towards land conflicts occurring in their concession area. The approach to dealing with conflicts has shifted to being gentler and more dialogic, aimed at maintaining investor trust and the company's international image. In this new approach, PT LAJ has formed a Conflict Resolution Team (*Tim Resolusi Konflik* or TRK) consisting of several representatives from local government officials, the Forest Production Management Unit (*Kesatuan Pengelola Hutan Produksi* or KPHP), Tebo Barat, and several local NGOs to resolve the conflicts. The establishment of the TRK concluded the functions of the previous Tim 300 and shifted the focus of land claims to extensive lands controlled by local elites. The involvement of the KPHP as a state institution in forest area management compels local elites to surrender the vast lands they possess and accept the "tali asih" from the company. However, this practice still generates dynamics among communities. The lands owned by these local elites are predominantly managed by hired farmer labor. Communities perceive these farmers as landowners. Therefore, when land evictions occurred, the communities believed that the evictions targeted lands left by their owners. This non-participatory land claim process subsequently sparked protests and intensified the conflict between the company and the community.

The influx of international green bonds also influences a company's approach to dealing with land conflicts with local communities. The company has started adopting conflict resolution schemes in accordance with government regulations, namely, the forestry partnership scheme in the social forestry program, since 2019. By 2023, two Forest Farmer Groups (KTH) were established, obtaining social forestry permits from the Ministry of Forestry and Environmental (MoEF). These two KTHs are Wana Mitra Lestari with 17 farmer members and a total permit area of 90 hectares and Anugrah Rimba Lestari

with 20 farmer members and a total permit area of 113.3 hectares. However, this approach is not fully accepted by communities and has generated controversy among communities due to differing responses in accepting the social forestry program.

Local elites become actors directly involved in land tenure scenarios by both communities and companies. These ground-level actors have a complete bundle of powers to benefit from land contestation in the forest area of Napal Putih. The structural powers and relations they have are used to take as much advantage or benefit as possible for their own interests. The phenomenon of how they "stand on two sides", the local elites who previously supported and became the entry point for the communities, then shifted and tried to exclude the communities from their land, shows how the accumulation of benefits is their main interest in contesting land in the forest area in Napal Putih.

Land Access Mechanism and Agrarian Conflicts in the Forest Areas of Napal Putih

Access, as defined by Ribot and Peluso (2003), is the ability to draw benefits from something, and is dependent on a set of power constellations and networks that enable an individual to gain a benefit. They then differentiate between two categories of access mechanisms: rights-based access mechanisms and structural and relational access mechanisms. This framework of access mechanisms is influenced by technology, capital, markets, labor, knowledge, authority, identity, and social relationships, which can shape or influence access to something. In this context, actors can simultaneously possess and control various types of access or depend solely on one type of access.

Ambiguity in laws, customs, and conventions that underpin rights-based access often occurs. It is not uncommon for laws enacted by one government within the same historical period to contradict each other, allocating rights to the same resources to different parties, especially in countries with plural legal systems (Ribot & Peluso, 2003; Sikor & Lund, 2009). This occurred in Napal Putih when the state issued regulations placing forest area management under the authority of the central government, while on the other hand, issuing regulations granting village governments the authority to regulate and manage their territories for the benefit of their communities. The central government utilized the authority outlined in Law Number 41 of 1999 on Forestry and Law Number 23 of 2014 on Regional Governments to grant forest ownership permits to private entities, whereas Village Governments, based on the authority derived from Law Number 6 of 2014 on Villages, provided access to communities for forest area management.

In terms of overlapping legitimacy based on various notions of legal rights, customary practices, or conventions, the state often remains the mediator, conflict resolver, and ultimate authority (Ribot & Peluso, 2003). In Napal Putih, the state's role as a conflict resolver is evident from the efforts of each actor to involve the state in safeguarding its access. The company opts for Social Forestry, while the communities demand TORA or forest area release, both of which are conflict-resolution instruments facilitated by the state. This indicates that in the case of forest land in Napal Putih, the state controls access, while other parties, such as companies and communities, maintain access.

Actors without customary or conventional access must approach access controllers to gain or maintain access (Ribot & Peluso, 2003). This theory applies to the context of forest land-use conservation in Napal Putih. To control the forest, companies negotiate and convince the central government that granting forest ownership permits to them will generate revenue for the state through tax contributions and benefit the public by creating job opportunities. Meanwhile, local communities and elites approach the village head to gain access to forest areas. They offer payments and land sharing to obtain permits from the village head to clear land in the forest area, and agree on the documentation of land ownership. Additionally, local elites leverage the support of the village head through social connections rooted in their shared identities as local community members.

In their progression, the communities endeavoured to strengthen their acquired access by partnering with NGOs to advocate for these initiatives. Through access to the information and knowledge they possess, NGOs can exert pressure on the government (local and central government) to promote the implementation of the TORA policy so that forest areas that have been managed and utilized by the communities administratively exit the forest area and can become community property that is no longer in proximity to the company. Realizing the authoritative power held by local elites, the company approaches them through access to the resources they possess. The company offers money and jobs to local elites, pioneering actors, and village heads to strengthen their positions in accessing forest resources while simultaneously excluding the communities from their concession permit areas.

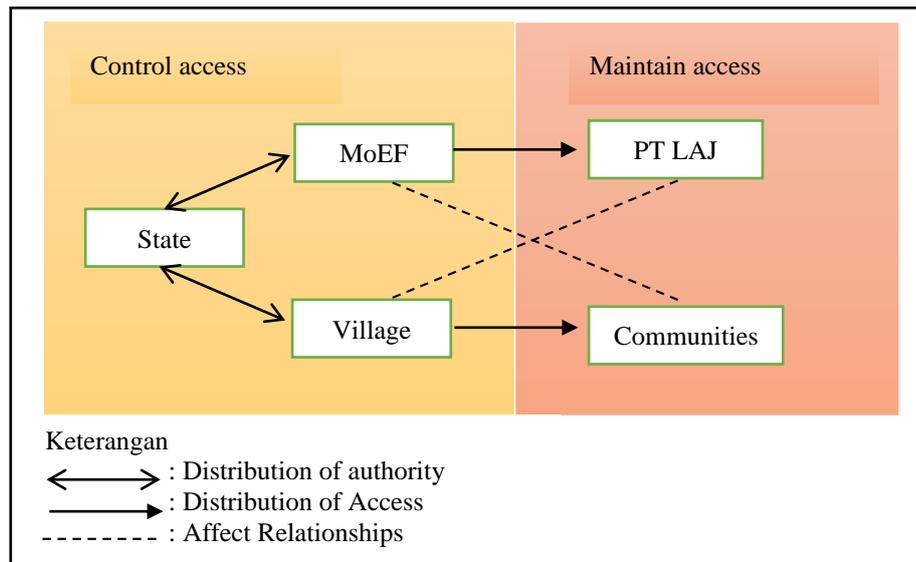


Figure 4. Access relations in agrarian conflicts in forest areas in Napal Putih, 2022

Based on the description above, it can be seen that the two access mechanisms are used by contesting actors to obtain and maintain access to forest area land in Napal Putih. Although there is an access mechanism that is prioritized for obtaining access, in its development, actors also use other access mechanisms to strengthen their claims. This study observes that the use of this access mechanism is differentiated based on the actor's position in obtaining access to forest area land in Napal Putih. The position of obtaining access, the main access strategies and mechanisms used, and the factors that influence this can be seen in the Table 1.

Peluso and Ribot (2020) observe that the social relationships and struggles that occur have led to an effect in the form of a relation of power and have shaped access mechanisms. Similarly, in line with Kinseng's (2013) categorization of conflicts according to actor positions, and echoing Hall et al. (2011) on actor engagement in enclosure and primitive accumulation, this study observes that the strategies employed by actors in the forest land conflict in Napal Putih stem from two distinct positions: 1) the "from above" access strategy with wealth capital as the main factor in obtaining access, and 2) the "from below" access strategy that utilizes social relationships as the main factor in gaining access to forest land in Napal Putih. Direct access to the wealth capital owned by actors from above opens access to markets, which can subsequently influence control over job opportunities and, thus, benefit distribution. In other words, because of the status and power conferred by wealth, actors with wealth have privileged access to production, opportunities, forms of knowledge, spheres of authority, and so forth. On the other hand, although still supported by capital and knowledge access, the ability of actors from below to access these resources is not proportionate to that of actors from above. This condition makes communities, as actors with insufficient access to wealth capital, more vulnerable to exclusion.

Types of Land Exclusion Leading to Agrarian Conflicts in the Forest Land Area of Napal Putih

Exclusion is an effort by which an individual or institution is prevented from benefiting from something. All forms of land use and access were also excluded. Similar to access, exclusion is not limited to the concept of assets alone but extends to the broader concept of power that prevents someone from reaping the benefits of land resources in forest areas (Hall et al., 2011). There are three common types of exclusion process: when access to existing land is maintained by excluding other potential users, when someone who has access loses it, and when someone without access is prevented from gaining access. Meanwhile, there are four powers at play in these exclusion processes: Regulation, Force, The market, and legitimation. The actors involved in these exclusion processes include smallholder farmers, local actors/elites, the government, large-scale plantations, local and national social movements, transnational NGOs, donor institutions, and national and transnational companies (Hall et al., 2011). Similar to the earlier perspective on access, the exclusion occurring in the contested land area in Napal Putih is also viewed from the standpoint of the actors implementing exclusion, namely "from above" and "from below".

Table 1. Mechanisms of Land Access and Contestation of Land Claim over Forest Land Area in Napal Putih Village, 2022

Position in gaining access	Actors	Actor's position	Access strategy	Strategy to maintain access	Factors affecting access
From above	State Government (MoEF)	Control access over forest area land	Rights-based access mechanism through the law on forestry	Granting concession permits to private parties and receiving benefits through fees paid	Main: authority Supporters: Identity, Market, Capital, Technology, Knowledge
	PT LAJ	Maintaining access to forest area land benefits	Rights-based access mechanism through concession permits	Building social relationships with site-level actors to fully control the forest area land.	Main: Capital, Labor Technology, Knowledge, Supporters: Markets, Social Relations
	Investors (Michelin, BPG dan BNPP)	Maintaining access to forest area land benefits	Rights-based access mechanism through business cooperation	Representing sustainable business with partnership as conflict resolution to demonstrate that the company engages in sustainable business practices	Main: Capital, Markets, Knowledge Supporters: Labor, Social Relations, Identity
From Below	Village Government	Control access over forest area land	Rights-based access mechanism through the law on village	Distributing land access, recognizing communities' residents in forest areas as villagers and issuing communities land certificates	Main: Authority, Identity Support: Social relations, Knowledge
	Local elites (pioneer figures, local investors, Regional Government)	Maintaining access to forest area land benefits	Mechanism of structural and relational access through social relations with the village head of Napal Putih	Employing migrant communities and pushing for citizenship recognition for immigrant communities to keep the land access	Main: Identity, Social relations, Capital, Labor Supporters: Knowledge, Market, Technology
	Communities who live in Napal Putih forest areas	Maintaining access to forest area land benefits	Structural and relational access mechanisms through social relations with local elites in Napal Putih	Strive for recognition of the legality of the land that has been managed on the basis of ownership documents from the village and identity as a local community	Main: Social Relations, Identity, Knowledge Supporters: Capital, Markets, Labor, Technology
	NGO SPI	Maintaining access to forest area land benefits	Structural and relational access mechanisms through social relations with the Napal Putih migrant community	Pressing the government to implement the TORA program as a conflict resolution	Main: Social Relations, Knowledge Supporters: Identity, Labor, Technology

The type of exclusion process that occurs “from above” is when someone who initially had access then loses access and attempts to regain it. Actors who have obtained access to forest area land through concession permits are unable to utilize it because the land has been occupied by local communities. The process of reclaiming this access is then understood as an effort to exclude one set of actors from another. Four forms of power for exclusion work within the exclusion process. The power of regulation begins from the moment the land in Napal Putih is designated as a forest area by the state. The state designates lands that cannot prove ownership as those controlled and governed by the state. Cahyono (2022) terms this condition as "tahayul tanah tak bertuan," referring to the perception that these lands are considered truly vacant and become potential resources for state development missions through government programs, even though many people rely on these lands. This forest area is then granted management rights to the company through HTI concession permits that directly grant benefits and exclusion rights to the company. By justifying that companies are legally entitled to utilize the land, they compel communities to return it to the company. The use of force as a means of exclusion has proven to be highly effective. Many communities subsequently decide to move and surrender their lands because of their inability to withstand the ongoing threats and coercion they face. Furthermore, the power of the market, driven by the increasing price of palm oil commodities, has inspired communities within the area to convert their crops to palm oil and position themselves as violators of forest area regulations by cultivating non-forestry commodities. Conservation values of the forest area are used as justification to exclude other actors who cultivate palm oil commodities within the forest area.

The exclusion process carried out falls within a type in which existing access is maintained by utilizing exclusion against potential users. Rules that are not always effective and often conflict with each other serve as entry points for actors to gain access to. The ongoing practice of buying and selling land within forested areas, which is officially not meant for sale, demonstrates this. In the process of exclusion, force becomes the dominant power, manifested through resistance actions primarily undertaken by local communities and supporting NGOs. The use of this violent force has proven effective and has raised concerns among opponents about the potential for future violence. These concerns further contribute to the emergence of the Agrarian Reform policy (Social Forestry and TORA) as an effort to resolve agrarian conflicts in the forest areas of Napal Putih. The emergence of agrarian reform policy, which is essentially a manifestation of agrarian justice discourse, serves as an example of how legitimization operates as a force in the exclusion process. The presence of citizens with the right to access land is mobilized to defend their land access while simultaneously excluding other potential users.

Conceptualization of Ideas

The Agrarian Reform Policy can be understood as the state's response to what Hall et al. refer to as 'the double edges of exclusion.' Recognizing that granting land ownership access to private entities has restricted communities' access to forest areas, the government seeks to mitigate the impact through this populist policy. The company chose social forestry as an alternative solution, prohibiting non-forestry crops under the pretext of conserving forest areas. This has led to the majority of the communities transitioning to cultivating oil palm, while remaining excluded. The majority of farmers have clearly rejected participation in this program and continue to struggle for land legality by advocating for the implementation of TORA Policy. Conversely, a small minority participate in social forestry, adhering to the regulations for security in land management. Consequently, this situation has created a dilemma for forest communities in Napal Putih.

The dilemma that occurs in the management of forest area land in Napal Putih needs to be seen like poverty which according to Mosse in Cahyono (2020) is a “consequence” not a “condition.” Therefore, the processes and mechanisms that shape it need to be understood. The categorization of access and exclusion based on the actor's position, namely "from above" and "from below" can provide at least a perspective on how a separation in the access and exclusion process between actors with different positions has resulted in a dilemma in the management of forest area land in Napal Putih. An in-depth analysis that not only focuses on the benefits gained through one of the solutions offered by actors but also on the overall process involving access and exclusion can produce socially progressive and sustainable results for land issues, especially in forest areas.

CONCLUSION

The dynamics of agrarian conflict in the forest areas of Napal Putih are rooted in the clash of various forms of power and paradigms embraced by actors, which manifest in their efforts to achieve their respective goals and interests. This is shown by the differing claims that arise over the forest area in Napal Putih, especially between companies and the community. Companies, driven by profit accumulation interests, lay claims for land ownership based on Industrial Plantation Forest (HTI) concession permits obtained from the government. However, the community asserts claims based on land ownership and citizenship status. These overlapping claims emerged and escalated since the period of unclaimed land, during which the forest area was open and accessible to anyone.

The conflicting claims in the agrarian conflict in the forest areas of Napal Putih involve multiple actors with diverse interests. This study found that the actors involved in the agrarian conflict in Napal Putih can be categorized based on their positions in executing strategies, both to gain access to the land and to exclude other actors from accessing it. These actor categorizations are, the "from above" actors which consist of the State Government, PT LAJ, BPG, Michelin, and BNPP; and the "from below" actors which consist of Village Government, Regional Government, Pioneer Figures, Local Investors, Communities, and SPI.

The interactions among these actors then form the relationships between them. The form of this relationship includes negotiations, such as those carried out by PT LAJ and the Central Government or the Communities and the Village Government to gain access. Cooperation relationships such as those that occur between BPG, Michelin and BNPP or the Communities and SPI. Finally, the form of relationship that occurs between actors is the conflict that occurred between PT LAJ and the Communities in Napal Putih.

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