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WHY LAND CONFLICT IN RURAL CENTRAL JAVA NEVER ENDED: IDENTIFICATION OF RESOLUTION EFFORTS AND FAILURE FACTORS

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Abstract

The plantation land conflicts that occur in the village of Darmakradenan in Central Java, Indonesia, between farmers and the Indonesian National Army (TNI) have been going on for 20 years. Various conflict resolution efforts that have been carried out have always failed. Based on this, the purpose of the research is to identify conflict resolution efforts and their failure factors. The method used was a qualitative method involving parties directly involved (farmers and TNI) or indirectly involved (land tenants, village government officials, and district governments) in the land conflict as research respondents. The results of the research showed that both conflict parties had taken various ways to achieve conflict resolution, such as with military intervention, negotiation, mediation, and arbitration, but all these efforts lead to conflict resolution failure. The driving factors of this failure are a substantial structural gap between farmers and the TNI, the involvement of mediators who are not neutral, the existence of government officials who are not always in line with farmers' expectations, and the farmers' attitude and behavior that are hard and difficult to collaborate. The implication of the results of this research emphasizes the importance of conflict resolution efforts that lead to improving the welfare of farmers in the form of joint land management. The welfare improvement of farmers can be an alternative to the actual conflict resolution if the land ownership by farmers is impossible because the TNI has legally controlled the land.

Keywords: Farmer, Indonesian National Army, Land Conflict, Resolution

1. Introduction

Conflict is a social-political phenomenon that is driven by many factors as a source of conflict. Bauman (2016) showed that efforts to identify sources of conflict would never be enough, because there were so many problems that encourage conflict; such as religion, ethnicity, land, water, natural resources, poverty, occupation, discrimination and so on. In this case, Bauman (2016) divided the cause of conflict in two aspects; 1) material sources; such as land, water, natural resources, and, 2) non-material sources; in the form of religion, identity, and culture.

Until now, there are still many problems of land conflicts in Indonesia since the fall of the Suharto regime in 1998. In general, land conflicts that take place in Indonesia occur more in rural areas. The land conflicts in the rural area are also related to the existence of most Indonesian residents living in rural areas. Such conditions are in line with the study of Borrás Jr (2016) that villagers constitute almost a part of the world's population and depend most on their lives from managing the land as a source of livelihood. So, it is not surprising that land conflicts become one of the crucial political issues in Indonesia. In a note from the Consortium for Agrarian Reform (KPA, 2017), agrarian conflicts in Indonesia increased, as many as 659 agrarian conflicts with a disputed land area covering 520,491.87 acres and involving at least 652,738 heads of households.

The land conflict that occurs in Darmakradenan Village, Banyumas Regency, Central Java Province is just one of the many land conflicts in Indonesia that have yet to be resolved. The conflict that occurred is the dispute of plantation land between the farmers who are members of the Stan Ampera (the union of suffering farmers' organization) and the TNI (Indonesian National Army) who are members of the Diponegoro IV Regional Military Command which has territories in Central Java Province and Yogyakarta Special Region. As for the cause of the conflict is the existence of mutual claims between the farmers of the Darmakradenan village and the TNI on the ownership of *erpacht* land covering 227.65 acres. An *erpacht* is a business right or material right to use the land owned by another party. At present, the one using the dispute plantation land is PT Rumpun Sari Antan (RSA) as the holder of the land tenure certificate. In accordance with Galtung's (1990) theory, the existence of the two parties facing the opposite implies a clear structural gap. The conflict between farmers and the TNI shows the structural conflict that manifests in the form of political power and economic inequality.

Various parties directly and indirectly involved in the conflict over the Darmakradenan plantation land have sought various efforts to resolve the land conflict. The farmers who join the Stan Ampera are accompanied by several Non-Government Organizations (NGOs) such as Babad, LPPSLH, FMN, and Agra. Other parties involved in conflict resolution efforts are the Darmakradenan Village government, the Badan Pertanahan Nasional, BPN (the National Land Agency), the Banyumas Regent, the Regional House Representatives of Banyumas, and the Central Java Governor who acts as mediator. However, until now the conflict in the Darmakradenan land is continuing and has not reached conflict resolution. Based on those situations, the research is aimed (1) to examine why conflicts between farmers and TNI in the rural areas of Central Java have occurred in the last 20 years, and (2) why the conflict resolution efforts always failed. This research is important to examine the practices of conflict resolution efforts that have been carried out and the factors driving the failure of the resolution effort.

In the context of conflict resolution in Indonesia, this research is expected to be able to fill the research gaps that have not been studied by previous researchers that emphasize conflict resolution efforts based on traditional institutions (Sulastriyono, 2014; Sakasare and Wawan, 2010), customary law and Islamic rules (Syam, 2015), mechanisms for public consultation, negotiation, mediation, and arbitration (Musdalifah, 2007; Alting, 2013), and local wisdom (Asmara et al. 2010). This research is also expected to fill the gap between previous research on conflict resolution efforts that focus on important factors to reduce conflict escalation (Ide, 2015), resolution of land conflicts through traditional mechanisms in each community (Emanuel and Ndimbwa, 2013; Chanya et al. 2014), the importance of individual roles and project managers in conflict resolution efforts (Prieto-Remón et al. 2015), and conflict resolution efforts through traditional justice (Forje, 2009).

The structure of this article is divided into six parts to present the comprehensive results of identifying the failure of conflict resolution efforts and the factors that led to the failure. This first part is the background and significance of the study. The second part is the research method. The third part discusses the land conflict in Darmakradenan based on the historical, economic and political dynamics. The fourth one discusses the efforts of land conflict resolution that have been conducted to resolve land conflicts. The fifth part elaborates on the factors that drive the failure of conflict resolution efforts. Finally, in the sixth part of this paper, it concludes with a conclusion to confirm the findings of the study.

2. Research Methodology

This research used qualitative methods based on the researcher's beliefs in the research experience and the nature of the problem (Strauss and Corbin, 1990). Qualitative research method has advantages in constructing social reality, cultural meaning, focusing on interactive processes and events, and are flexible in determining research steps (Neuman, 2013). The selection of respondents used purposive sampling and snowball sampling techniques (Harrison, 2016). Respondents of this study consisted of the founder of Stan Ampera, the chairman, and board of Stan Ampera, the farmers, the village head of Darmakradenan, the head of plantation PT *Rumpun Sari Antan* (PT RSA) the government of Darmakradenan Village, and the Banyumas District government. Data collection techniques were carried out with a combination of interviews, document studies, and observations (Punch, 2000). Data processing and analysis began with the development of analytical and coding data categories, as a prerequisite for analysis (Silbergh, 2003). Category development and data coding pay attention to two things, namely 1) guaranteeing the analytic category was consistent with the goals and objectives of the study so that the conclusions were valid; 2) balancing to keep too few and too many categories. The analysis began with a data clarification process to achieve consistency, followed by a theoretical abstraction step toward information and facts, which resulted in fundamental statements. By way of comparison of research findings and deepening of meaning, a simultaneous data analysis would be obtained throughout the research process.

3. Land Conflict in Darmakradenan in Historical, Economical, and Political Dynamics

The Darmakradenan Village is a village in Banyumas Regency, Central Java Province, Indonesia which is dominated by plantation areas. The beautiful village with cocoa and rubber plantation area supported by the topography of fertile hilly regions and the valley adds to the unity of the natural exquisiteness of the village. However, this beauty is not balanced by the prosperity of the farmers' lives. The charm and potency of the village covering an area of 1157.86 acres, including 227.65 acres of land in dispute, is unable to eradicate the poverty of the farmers. Prolonged plantation land conflicts make farmers live in poverty. Official data from the village government shows that out of 3,038 households, a total of 1,707 households (56%) are low-income families who do not have access to get sufficient socio-economic resources. The Darmakradenan community is also a picture of a population with 5,198 people (57%) out of 9,050 inhabitants have low education (Darmakradenan Monograf, 2018).

The picture of their powerlessness in accessing social and economic resources can also be seen from a large number of people who do not work (15%), as agricultural laborers (17%), and farmers (13%). The other 46% consists of traders, entrepreneurs, and civil servants (Darmakradenan Monograf, 2018). Another picture of poverty is that many families do not have a place to live, so they are forced to live together with other families in one house. Even sometimes, one house can be occupied by 2-3 families.

The Darmakradenan village farmers are poor farmers who expect land ownership status as a source of daily livelihood. They are a group of farmers who have tried all means to fight for the ownership status of 227.65 acres of plantation land in Darmakradenan village. This vast land is believed to be the property of farmers via messages given by their predecessors so that local farmers will continue to care for and develop plantation land. However, after almost twenty

years passed, the hopes of Darmakradenan farmers to obtain a piece of land in Darmakradenan plantation have not been achieved, yet.

The origin of the Darmakradenan plantation land dispute cannot be separated from the Dutch colonial policy which abolished *Tanam Paksa* (the forced cultivation policy) in 1870, due to criticism from the European community against the Cultivation which severely affected the Indonesian people (Ricklefs, 2005). After the Forced Cultivation policy was abolished, the Dutch colonial issued the *Agrarische Wet De Wall* Act in 1870, which contained the policy of granting land certificates to farmers in Indonesia. The land certificate issuance policy was followed by a high land tax provision of 30 cents per 7,000 m². Of course, the land tax policy made farmers unable to pay taxes because it was not comparable to the results obtained from land management. In addition to the land tax issue, the Act also regulates the right of *erpacht* that applies to the large agricultural and plantation lands, the small agriculture and plantation lands, as well as lands for resorts and gardens.

Farmers in Darmakradenan village also felt the farmers' objections to the policies of the Dutch colonial government. To overcome these difficulties, in 1892 the village head of the Darmakradenan at that time agreed with the farmers to lease the Darmakradenan plantation land to Dutch businesspeople. The agreement was stated in a *Verponding* agreement letter No. 5 to be valid on July 15, 1892, to July 15, 1967, which covered 230.10 acres of land with an *erpacht* status. As an *erpacht* land, after July 15, 1967, the land would be returned to the farmers. Since July 15, 1892, Darmakradenan plantation land was controlled by a Dutch businessperson named Jan Abertus van Der Roeft or known as Mr. Maryon and planted with rubber. In its development, in 1940 the Dutch businessperson transferred the management of plantation land to Chinese businesspersons. Since then, consecutively the management rights of the Darmakradenan plantation land have been held by Chinese businesspersons (Stan Ampera, 1999b).

The times keep changing. The Dutch colonial occupation in Indonesia was not timeless. In 1945, the Indonesian people declared independence. Along with the freedom of the Republic of Indonesia, the Indonesian government through *PT Perkebunan Nusantara*, PTPN (the National Plantation Company) and *Perhutani* (the Indonesian Forest Company) began nationalizing companies previously controlled by the Dutch colonial government. The nationalization also applied to the Darmakradenan plantation. During the process of nationalization, when the Indonesian government established the Basic Agrarian Law in 1960, the granting of the *erpacht* right to Dutch businesspersons was legally ended, and the Darmakradenan plantation land was under Indonesian government control.

However, when the darkest political incident in the Indonesian political history exploded, namely the Indonesian Communist Party (PKI) rebellion in 1965, plantation workers who were members of *Sarbupri* (the Indonesian Plantation Workers Union) became one of the organizations associated with the existence of PKI. In addition to *Sarbupri*, the *Barisan Tani Indonesia* (the Indonesian Farmers' Union) whose members were farmers in rural areas was also associated with the PKI rebellion. In those days, many plantation workers who worked on the Darmakradenan plantation also became members of *Sarbupri*, suggesting that they were also involved in supporting the PKI movement in 1965.

When TNI, as a national army, devoured PKI members from the national level to various rural areas, the situation also has an impact on workers in the Darmakradenan plantation. Many workers fled because they were accused of being involved in the PKI movement, including the Chinese businesspersons who rented the plantation. The head of Darmakradenan village at that time also did not dare to accept and manage plantation land. In the end, for reasons of security, Darmakradenan plantation land was seized by TNI in the territory of Diponegoro IV Military District Command since 1965. In the management of the plantation, TNI gave responsibility for plantation management to the *Rumpun Diponegoro Foundation (Yardip)*. Subsequently, from 1975 until now, *Yardip* is leasing Darmakradenan plantation land to *PT Rumpun Sari Antan (RSA)* (Stan Ampera, 1999a).

Concerning how TNI controlled the Darmakradenan plantation land illustrates that there is a peace-keeping effort when referring to Galtung's (1976) explanation of the stages of conflict resolution. Peace-keeping is a process to reduce or ease conflict through military intervention to

reduce violence. What TNI did at that time is an attempt to deal with the chaotic situation caused by PKI rebellion, where the existence of plantation workers in the *Sarbupri* organization is always associated with support for PKI movement. In this context, we can say that TNI's control of the Darmakradenan plantation land is preceded by a pure action to maintain peace in the form of political stability.

That period was the initial period of the New Order power which took power from the Old Order in 1966. The New Order grew by emphasizing economic growth and political stability supported by a very strict security approach. In the practice of the New Order, the penetration of power was felt from the national level to remote areas. Therefore, during the New Order regime, there were almost no attempts by farmers who dared to fight for ownership of the Darmakradenan plantation land. Throughout that time, farmers relied on limestone mining business with very promising results because the cash flow in one month reached almost 1 billion Indonesian Rupiahs. Unfortunately, when the monetary crisis occurred in 1998, the lime business fell; thus many farmers who relied on the lime business went bankrupt. Such conditions protracted increasingly made farmers live in poverty, so farmers began to desire to get ownership of plantation land managed by PT RSA.

4. The Farmers Efforts to Gain Land Ownership in Darmakradenan

Long before the reform era in Indonesia, farmers had made an effort to regain the Darmakradenan plantation land. The effort was based on the belief that farmers owned the land of the Darmakradenan plantation as a legacy of their predecessors. When TNI began to hold onto the use of the plantation land in 1965, the farmers had tried to reclaim the land they believed to have owned by refusing to sign the agreement offered by TNI to them. However, the farmers' effort failed, and the plantation remained in control of the use by TNI. Subsequently, in 1973, farmers proposed to TNI to lend several acres of land to build an elementary school. Until now, the building is still in use. In 1991, farmers also proposed to TNI to borrow a piece of land for sports fields (Stan Ampera, 1999a).

The escalation of the land conflict in Darmakradenan increased in line with the political changes in Indonesia from an authoritarian system to be democratic. When the monetary crisis hit Asia and Indonesia in 1998 and accompanied by the fall of the New Order power, Darmakradenan farmers could no longer rely on limestone mining business which had previously become the foundation of the farmers' economy. Along with the flow of reforms that have plagued since the fall of the New Order regime, farmers began to dare to plunder plantation land to be managed. At that time PT RSA as the holder of the right to cultivate issued an appeal letter to the farmers to stop the looting of the management of the Darmakradenan plantation land (PT Rumpun Sari Antan, 1998). On the one hand, farmers can no longer rely on limestone mining as a source of livelihood and can only hope from the management of plantation land. On the other side, PT RSA was the holder of legal business rights that leases the plantation land from the TNI.

The courage of the farmers to fight for the ownership of plantation land is not only triggered by economic hardship but also by the presence of several NGOs which move quite massively to encourage the farmers' determination to obtain ownership rights to Darmakradenan land. These NGOs come from urban areas and are organized by activists who have NGO networks scattered in various areas of conflict lands in Central Java. The low level of education and knowledge of farmers make it difficult for them to organize themselves against TNI forces to obtain land ownership rights. Therefore, supports from NGOs make the desire of farmers to own plantation land crystalized and forming farmer organizations that carry out various resolution efforts to obtain ownership of the Darmakradenan plantation land. With the support of various NGOs who enter Darmakradenan, the farmers form the Stan Ampera, (the union of suffering farmers' organization). The Stan Ampera consists of 11 farmer groups called the *Sri Rejeki* I to XI Farmers Group. In its development, the existence of 11 groups was streamlined into six groups to be more efficient. The purpose of establishing Stan Ampera is to strengthen the struggle of the Darmakradenan village farmers because it is difficult to fight for land ownership status for farmers if they are not united. Aside from being a struggle

organization to obtain land ownership status, the farmer groups in Stan Ampera also organize farmers' assistance, management of seed assistance, the arrangement of rice cultivation, and many more. Since its establishment in 1999 to date, the organization leader of Stan Ampera has changed four times. The farmers' efforts on conflict resolution to obtain land ownership in Darmakradenan and various conflict resolution efforts offered by multiple parties since 20 years ago is summarized in Table 1.

Table 1. Efforts on Conflict Resolution of Darmakradenan Plantation Land

No	Resolution Efforts	Activities	Results
1	Negotiation (1999): Darmakradenan farmers represented by Stan Ampera and the representatives of PT. RSA.	Stan Ampera: demanded the plantation land to be returned to the community. PT RSA: the land tenure was legal by holding on to the right to operate.	Each party remained in its opinion, so there was no common ground.
2	Negotiation (1999): Farmers and TNI-Kodam IV Diponegoro.	The farmers asked to manage 50 acres of the land neglected by PT RSA.	Kodam IV Diponegoro allowed farmers to manage the 50 acres of land.
3	Mediation (1999): Mediation efforts by the Banyumas Regent and the Regional House Representatives of Banyumas.	The farmers demanded to have a land right of 110 acres on the land poorly managed by PT. RSA.	Mediation did not result in agreement on both sides.
4	Court (2002): Farmers against PT. RSA.	So that farmers be able to work on a land of 110 acres, which was considered abandoned by PT. RSA.	The Court Decision stated that the holder of the certificate of tenure was PT. RSA.
5	Mediation through the bureaucracy (2011): involved the boards of Stan Ampera and the BPN.	Stan Ampera's meeting in Jakarta was promised a form of resolution, but there were also concerns if the land distribution would create new conflicts.	The promise of resolving land conflicts has never been realized. The Central officer only ordered Banyumas to check the land data.
6	Mediation through political channels (2013): involving farmer Stan Ampera candidate for Banyumas Regent during a campaign period.	Unofficial agreement between Darmakradenan farmers and the Regent candidates that farmers voted for the candidate and the elected Regent would help to resolve the conflict.	Banyumas Regent facilitated farmers to meet with Central officers and Central Java Governors.
7	Mediation through political channels (2014): involving farmers and the candidate for the House of Representative Council of Indonesia.	Lobbying the House of Representative Council to fight for Darmakradenan land certificate on behalf of farmers.	BS, a member of the House of Representative Council, stated that Darmakraden plantation land could not be certified on behalf of farmers.
8	Negotiations in the form of agreement signatories (2014): Farmers with TNI-Kodam IV Diponegoro.	Kodam IV invited farmers to attend the meeting at Horizon Hotel.	Representatives of farmers signed an agreement to manage 110 acres of land under pressure.
9	Mediation in the form of submission of a request letter (2017) to President Joko Widodo.	Farmer Stan Ampera appealed to the Regent of Banyumas, Central Java Governor, and President Joko Widodo not to renew the right to use and restore the Darmakradenan plantation land.	The submission of farmers to President Joko Widodo has not been officially responded, while PT RSA has proposed an extension to Banyumas.

Throughout the reform era in Indonesia, farmers make various efforts to obtain ownership of plantation land. In this case, the farmers make negotiation in fighting for the ownership of plantation land. Negotiation is the settlement of disputes committed by the parties to the dispute without involving third parties (Widjaja and Yani, 2001). In 1999, they filed a lawsuit to Banyumas Parliament that Darmakradenan plantation land was returned to farmers and the plantation rights of the PT RSA was abolished. However, the efforts of the farmers failed, and PT RSA retained the plantation rights. The subsequent effort was carried out by TNI by handing over 50 acres of Darmakradenan plantation land to farmers with a rental system with a price of Rp. 50,000/acre/year. In practice, farmers only paid the rent a few times, and in the end, the rent was returned by PT RSA to the farmers when the farmers established the Stan Ampera organization. This was done as a form of concern from PT RSA to reconcile the conflict situation at that time.

After failing to negotiate, the farmers begin to pursue the mediation by involving government officers as mediators. Mediation is a problem-solving process in which there are impartial and neutral outsiders working with the disputing parties to help them get an agreement by deciding (Toar *et al.* 1995). In a mediation effort in 1999, the Banyumas Regent, the Regional House of Representatives Banyumas, and the BPN acted as mediators when Darmakradenan farmers demanded the management of 110 acres of plantation land. However, the mediation efforts failed because the TNI and PT RSA did not grant the demands of farmers to manage 110 acres of land.

When negotiation and mediation efforts fail, the situation turned into chaos again because many demonstrations often lead to violence. The actions of farmers to conduct demonstrations that were full of actions and rude speech occurred every week, which was every Wednesday. PT RSA's head of plantation was once expelled from the PT RSA office located in the middle of a cocoa plantation. The TNI even mobilized 600 military personnel and added from the police, *Brimob*, and *Koramil*, which were deployed from all Banyumas residencies.

Along with these demonstrations, further conflict resolution efforts were carried out by farmers accompanied by NGOs by taking the court route to fight for ownership of plantation land. The trial held at Purwokerto District Court on August 14, 2002, decided that the status of plantation land remained under the authority of its use by the TNI. This was because the Darmakradenan farmers cannot show proof of ownership of plantation land. In this case, a proof of land ownership in the form of a "Letter C" was owned by PT RSA as the holder of the right to cultivate. The BPN signed the land tenure certificate covering an area of 227.65 acres on behalf of PT RSA on September 12, 1994, and valid until December 31, 2018.

The conflict resolution efforts continued to be carried out by farmers, especially in the form of mediation, which involved government officials as mediators. The mediation process was carried out by Banyumas Regent facilitated the farmers of Stan Ampera to meet the head of BPN in Jakarta in 2011. The result of the meeting was a promise from the head of BPN to resolve the Darmakradenan land dispute. However, because the farmers of Stan Ampera did not yet have a land sharing mechanism between farmers if the land was actually handed over to farmers, there was a concern that if the land were handed over to farmers, it would create new conflicts between farmers. The lack of certainty regarding the mechanism for land distribution if it was returned to farmers became a pretext for TNI to delay the handover of plantation land entirely to the Darmakradenan farmers.

The farmers' efforts to gain ownership of plantation land were also carried out with mediation through political channels. Their struggle unavoidably also became political consumption of prospective candidates who would become Banyumas Regent or members of the House Representative Councils. Banyumas Regent candidate such as Ahmad Husein, who competed in the direct Regional Head Election of Banyumas District in 2013, had promised conflict resolution of plantation land if farmers voted for Achmad Husein in the election. When Ahmad Husein was elected as Banyumas Regent, his promise was fulfilled by providing facilities for the farmers of Stan Ampera to express their aspirations to meet the Governor of Central Java in Semarang; and to Jakarta to meet with the members of the Indonesian Parliament. Also, the political channel taken by the farmers was through candidate for the House Representative Council, namely BS, with Banyumas Regency as one of his electoral

districts. Later on, there was information that the Darmakradenan plantation land clearly could not be certified on behalf of the farmers. Indeed, the political channel has more complex dimensions. In the view of PT RSA, the role of BS unfortunately only made the situation worse. What he did was only bringing conflict within farmers' community and only for his political interests. Currently, assistance by BS is no longer expected by the farmers of Darmakradenan village.

In 2014, TNI invited Darmakradenan farmers to attend a meeting at Purwokerto Horizon Hotel. This was a form of negotiation carried out by TNI by holding a meeting with the Darmakradenan farmers. However, at the meeting, representatives of farmers were forced to sign an agreement in the form of management of 110 acres of plantation land covering 227.65 acres by Darmakradenan farmers. Since the signing of the 110 acres management, the TNI installed a signpost in an area not included as 110 acres as a military training area, as a form of intimidation to farmers. Responding to this, the farmers were not afraid, and they even act brutally to protest the installation of the military training area signpost. Nevertheless, until now the TNI military training area has remained installed as a symbol of "TNI strength" which controls the Darmakradenan plantation area.

The farmers themselves face a difficult position. They have no other choice. Those 600 households are required to receive 110 acres of land which is generally very barren, contains lots of rocks, and has a high level of land slope. Such land conditions force the farmers to plant hardwoods which were expected to overcome landslides. In addition to planting hardwoods, farmers also planted crops that match the intercropping system because farmers really needed the crops to meet their daily needs. Meanwhile, if only relying on the hardwood, the products would be obtained by farmers in a long period. The poverty caused by the low yield of 110 acres of barren land makes the community begin to encroach on land managed by PT RSA that is more fertile to be used as agricultural land. The looting began in 2016, and farmers plundered the remaining land that was not loaned up to 96% of 227.65 acres. Thus, practically the remaining plantation land managed by PT RSA is currently only around 7 acres.

BPN assessed the farmers' attitude of looting the land beyond the agreement as a reflection of the unethical behavior of farmers. The arrogant attitude of the farmers made BPN performed data collection to measure the boundaries of plantation land that was the source of the dispute. In the view of BPN and PT RSA, the handover of 110 acres of 227,65 acres to farmers to be managed was already a win-win solution. As a party who leases land legally from the TNI, PT RSA must also continue to produce and cultivate plantations to make a profit. As for now, the farmers are continuing looting rubber plants owned by PT RSA. There was hope from PT RSA that the TNI as the legal owner of the land acted more decisively against the looting actions of farmers.

When the period of PT RSA's tenure expired on December 31, 2018, the BPN has worked to decide whether to extend PT RSA's operating rights or not. One of the efforts taken was conducting a Focus Group Discussion involving the Banyumas District Government, BPN, and academics of Gadjah Mada University Yogyakarta on December 15, 2016. The main results of the FGD were the mediation agreement on the land conflict in Darmakradenan which would involve UGM academics, the BPN, and Banyumas District Government (PMI-UGM and BPN, 2016).

Regarding the ending of PT RSA's right to cultivate on December 31, 2018, PT RSA has submitted an extension of the management of the Darmakradenan plantation land to BPN. However, in the rules of BPN, land in the case of a dispute still needs to be resolved first to regain the right to cultivate. To extend the right for Darmakradenan plantation land, the landowner must vacate the land that is currently looted by farmers. The BPN will continue to give priority to PT RSA as the holder of a previous concession to regain the right legally if the terms of the extension can be fulfilled. Aside from that, BPN also awaits a recommendation from the Banyumas Regency Government regarding the extension of the right to cultivate the Darmakradenan land. This refers to the Republic of Indonesia's Presidential Decree No.34 of 2003 concerning National Policy in the Land Sector that land disputes are under the authority of the district government to handle the problem.

On the other hand, farmers of Stan Ampera are also struggling so that PT RSA's right to cultivate is not renewed. They have proposed to the Banyumas Regent and Central Java Governor. Also, farmers have also submitted a request letter to the President of the Republic of Indonesia Joko Widodo not to renew PT RSA's cultivation rights which will expire on 31 December 2018 and submitted an application to restore the plantation ownership status of 227.65 acres to Darmakradenan farmers.

Various resolution efforts in the form of negotiation and mediation as described above, are in line with the stages of achieving conflict resolution in the form of peace-making (Galtung, 1976). Peace-making is a process that reconciles political attitudes and strategies from the conflicting parties through negotiation and mediation. Fisher *et al.* (2000) also emphasized the importance of negotiation and mediation in conflict resolution efforts. Both farmers and TNI have taken resolution efforts through negotiation, but these efforts have failed. Theoretically, the mediator actually has an important role as an intermediary. The existence of a mediator should allow the discussion process to take place more warmly and openly to convey their views (Bauman, 2016).

In mediating the conflict in the Darmakradenan land, the parties acting as mediators came from the government such as the Banyumas Regent, the Regional House Representative, and BPN. Whereas if we look at the history of plantation land and the existence of land certificates, Darmakradenan plantation land is owned by the state that has the power of its use by the TNI. The 2002 court decision also determined this. This means that the mediation process that has already taken place in the Darmakradenan conflict resolution effort has a weakness related to the neutrality of the mediator. The presence of mediators from the ranks of government does not allow them to be neutral and impartial. Even though the ideal mediator is someone, who can be neutral and impartial (Toar *et al.* 1995), thus the existence of a mediator that supports the realization of the mediation process takes place warmly and openly (Bauman, 2016) cannot be realized and the efforts of conflict resolution through mediation always fail.

In the context of the land conflict in Darmakradenan, it can be said that the conflict resolution stage of Galtung (1976) is not linear and straightforward from peace-keeping, peace-making and then peace-building. In fact, when peace-keeping and peace-making have been carried out, the political situation that occurred has prompted more peace-keeping by the TNI. This happened when farmers continuously carried out violent demonstrations during the 2002-2004 periods and triggered TNI to mobilize soldiers to secure the situation. Furthermore, when the negotiation and mediation ways cannot resolve the problem, the farmers take the court route as a form of resolution of land conflicts. The court process or arbitration is also part of peace-making in the conflict resolution stage in Galtung (1976) and Fisher *et al.* (2000) which emphasizes the importance of arbitration pathways in conflict resolution efforts. However, farmers' efforts to obtain ownership status of plantation land also failed because the court ruled that the legal holder of the Darmakradenan plantation land use was the TNI.

The overall conflict resolution efforts of the Darmakradenan plantation land always lead to the failure to achieve real results. Whereas if we go back to Galtung's (1976) prioritization of the stages of conflict resolution, currently the conflict in the Darmakradenan land should have entered the phase of peace-building, which is the process of social, political and economic reconstruction to achieve lasting peace, with social justice, economic prosperity and effective representation of politics. However, even though the stages of conflict resolution have been passed from peace-keeping and peace-making, - although not linear because after peace-making, peace-keeping and peace-making can be carried out again, it turns out that the conflict resolution efforts in Darmakradenan land have not reached the form a real resolution. The attempts for conflict resolution through negotiation, mediation, or arbitration are very important to achieve the results (Fisher *et al.* 2000). However, the reality that occurs in Darmakradenan is different. Farmers remain adamant about the ownership of plantation land, even though the legal owner of plantation land use is the TNI. Thus, until now the conflict between the two parties has not reached a common ground.

All conflict resolution efforts also show that all forms of conflict resolution efforts from both litigation and non-litigation have been carried out by Darmakradenan farmers and the TNI. Litigation is a conflict resolution effort through the court, while non-litigation is a conflict

resolution effort that is outside the court. Litigation ways have clear forms, procedures, and mechanisms for conflict resolution efforts, but non-litigation approaches do not have uniform forms and procedures. Compared to litigation ways, non-litigation ones actually open up more opportunities to be able to answer more complex problems. This is because litigation routes generally absorb a longer period of time which undermines the enthusiasm of groups who struggle, frustrate and weaken their struggle. In addition, judicial institutions tend to side with the authorities and defeat the interests of the oppressed people (Fisher *et al.* 2000).

The Darmakradenan farmers do not have administrative documents as evidence of their ownership of their ancestral land; they only believe that the plantation land is their property based on messages in the oral history of their predecessors. The TNI has evidence of the holder of plantation land currently being leased by PT RSA. When referring to the Purwokerto District Court's decision in 2002, the land status has been legally held by the TNI. By law, the decision is final, and the land tenure certificate of 227.65 acres on behalf of PT RSA was signed by BPN on September 12, 1994, and is valid until December 31, 2018. However, Darmakradenan farmers cannot accept this and continue trying to make plantation land theirs. The BPN has repeatedly affirmed to farmers that the holder of land use is the TNI and the existence of PT RSA as the holder of the right to cultivate has been legally valid and the court's decision on the matter is final. The different perspectives of the two parties cause conflict resolution over the Darmakradenan plantation land cannot be achieved until now.

5. The Failure Factors to Achieve Land Conflict Resolution in Darmakradenan

The efforts of Darmakradenan farmers to fight for the ownership of plantation land covering 227.65 acres which sharply increase in the last 20 years, has not reached an agreement with the TNI even though both farmers and TNI have taken various conflict resolution efforts in the form of litigation and non-litigation. In this regard, Spradley and McCurdy (2012) emphasized that every community group has its own way to resolve conflicts between them. This means that both farmers and the TNI can actually develop conflict resolution efforts that are considered most appropriate to resolve the conflicts over plantation land. However, until now the structural conflict between the two unequal parties has not been able to achieve the actual form of land conflict resolution. For that reason, this research identified the factors driving the failure of conflict resolution efforts between farmers and TNI as follows:

First; as mentioned above, the conflicts over plantation land involve those who are structurally unbalanced, which has an impact on political and economic power imbalances (Galtung, 1990). This structural inequality factor can be said to be the main factor that makes the conflict resolution efforts in Darmakradenan land very difficult to achieve. Farmers and the TNI are two real segregated parties in political and economic power. It is easily understood that the TNI has all the tools capable of supporting the ownership of the Darmakradenan plantation land. They have everything as a controlling party, and they have power, position, even weapons. Especially since the beginning, TNI holds the legal certificate of plantation land leased to PT RSA. Thus, TNI can use legal authority to act decisively if the escalation of the conflict increases. According to PT RSA, the firmness of TNI is needed so that the problem of land disputes is not protracted and makes the plantation land abandoned.

The farmers are poor and have low education. Instead of understanding the paths of struggle to obtain ownership rights to plantation land, they have to fight hard to cover their daily economic needs. The description of the poverty of the above farmers clearly illustrates the condition of the poverty of the residents. In addition, because of the low level of education and knowledge, it is not easy for them to understand various laws and regulations and relate bureaucratic pathways to achieve the results of the resolution they expect. What they do in the struggle for land ownership is done more on the advice of NGOs who accompany them. Indeed, Darmakradenan farmers do not have the education and political experience to understand the best effort they should have to get the ownership status of the Darmakradenan plantation land.

Second; the ongoing mediation process never involves neutral and impartial parties. In this case, mediation that involves the Darmakradenan Village Government, the Banyumas Regent, the BPN, and the House of Representative Councils are the representation of the

government. Mediators involved are not from academics or other circles that have impartial neutrality to both farmers and TNI. The mediator from the government is "understandable" if the mediation process cannot take place openly and warmly to seek the best resolution efforts. The land of the Darmakradenan plantation is legally owned by the state which is used by the TNI. Thus, there is a tendency that the presence of government officials will continue to support the existence of land as the state property, and farmers will easily accuse government officials as mediators to support the TNI.

Third; the attitude of government officials does not always in line with the wishes and expectations of farmers. In this case, local government officials tend to use the rule of law as a basis for taking action regarding conflict resolution efforts. With the attitude of the local government, farmers assume that government officials do not explicitly support their struggle to obtain the ownership status of Darmakradenan land. The government has formal authority to take specific actions, for example by pressing BPN from the central and regional levels to reevaluate the existence of TNI as the holder of the Darmakradenan plantation land use and review the possibilities of formal ownership of Darmakradenan land by farmers. In this case, actions taken by government officials are limited to facilitating meetings and helping to fund to farmers when visiting certain parties. This was done by local government officials because they saw that the court's decision or arbitration process had ruled that the TNI is the holder of legitimate plantation land use which is currently leased to PT RSA.

Fourth; the farmers of Stan Ampera have a hard character which is difficult to act cooperatively, so it is often difficult for conflict resolution efforts. They sometimes act criminally by cutting trees, therefore they have to deal with the police. Even if there is an action from one of the administrators who is not negotiated first with members, the farmers will protest strongly against the actions taken by them. Most of the farmers are village farmers who are accustomed to acting at their own accord not supported by rational and planned ways of thinking. Regarding matters of business, the difference in the land area of one inch can make farmers lift machetes. The attitude of farmers who do not want to be obedient and not easy to compromise on the resolution efforts offered by the government is also considered difficult for the government to take certain actions to achieve conflict resolution. They tend not to give in to what they want. For example, a member of the Indonesian House of Representatives who previously wanted to help resolve a land dispute no longer wants to help farmers because they face farmers' attitudes and behavior that are difficult to work together. Even not infrequently, farmers also easily accuse government officials of having an attitude that is more supportive of PT RSA and the TNI than defending the interests of farmers.

6. Conclusion

The land conflict in Darmakradenan shows a conflict in which the confronting parties are structurally unbalanced regarding political and economic power. Farmers are those who are economically poor and only hope for the existence of land as a source of livelihood. The TNI has a complete set of structures, strengths, and resources to maintain the authority to use plantation land which is legally held by the TNI. However, the structural imbalance does not significantly reduce the enthusiasm of farmers to fight for the ownership status of the Darmakradenan plantation land. Both parties have taken various efforts to achieve conflict resolution, both in the path of peacekeeping (land tenure through military intervention) and peacemaking (negotiation, mediation, arbitration), however, the peace-building process has not been achieved. Even though all the pathways to achieve conflict resolution, both litigation and non-litigation pathways have been taken. So that the peacekeeping, peacemaking and peace-building schemes that take place are not linear and straightforward, but from peacekeeping, peacemaking, then peacekeeping and reconciliation efforts occur. However, the actual form of conflict resolution has not yet been achieved until now.

The research also identified several factors that led to the failure of the plantation land conflict resolution. The identified factors are the real structural gap between farmers and the TNI, the existence of mediators not from neutral parties who were impartial because they came from government officials, the attitude of government officials who were not always in line with

expectations farmers, as well as farmers' attitudes and behavior that are hard and difficult to work with. Based on all information obtained, this research emphasizes the importance of conflict resolution efforts that are based on reducing the gap between the two parties, especially farmers who are very economically poor. Indeed, even if land ownership is not legally possible because according to the prevailing regulations the existence of the TNI as the holder of land use power is legally valid, but providing alternatives to encourage farmers' welfare in the form of joint land management may be taken as a path to real land conflict resolution.

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