

LOCAL GOVERNMENT STRATEGY IN SOLVING THE CONFLICT OF LAND TRADITIONAL GROUNDS IN BUKIT KERMAN DISTRICT, KERINCI REGENCY

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Abstract

This study aims to determine the causes of conflicts and the Kerinci Regency government's strategy in conflict resolution. This study uses a qualitative descriptive method with data collection techniques such as observation, interviews and documentation. The main cause of conflict between Pulau Sangkar Village and Kebun Baru Village was due to lack of agricultural land, and unclear boundaries between villages. The strategy of the regional government in resolving conflicts is through mediation between the two conflicting parties so that a letter of agreement is formed between Kebun Baru Village and Pulau Sangkar Village so that the conflict does not recur.

Keywords: Strategy, Local Government, Conflict Resolution.

A. INTRODUCTION

The State of Indonesia is an agricultural country, a life that depends on natural resources, both from agricultural products and marine products that can support the nation's economy. Natural resources that can provide benefits and meet the needs of the community are no exception to land resources. The land has more advantages for the community because the land is a medium that produces natural resources, such as plantations, agriculture and livestock which are all closely related to land. The need for land continues to grow and the number is increasingly limited. The land is a very important resource in human life because they mostly carry out their activities on the land (Baskoro, 2016).

Along with the importance of land, so that conflicts often occur in the fight over land as one of the production lands, which support human life and is one of the factors that determine the welfare of the people in a country. So that people take customary land for development or plantations. This land conflict

does not only occur between individuals, individuals and groups but also can occur between groups and groups can even occur between the fraternities, because both feel that the land has ownership rights, in Kerinci Regency there has been a conflict in fighting over land namely customary land of Rencong Telang.

Rencong Telang is the name of the indigenous community of Sangkar Island. The conflict that occurred is the conflict between Pulau Sangkar Village and Kebun Baru Village in Bukit Kerman sub-district. The land conflict that occurred on Tuesday, March 14, 2017, involved clashes between Kebun Baru Village, Gunung Raya District and Pulau Sangkar Village, Bukit Kerman District, triggered due to the issue of customary land, where residents of Sangkar Island wanted to bring order to Rencong Telang customary land. To secure the conflict 100 Kerinci Police officers were deployed to secure the location of the incident (<http://www.suarakerinci.com>). These conflicts cannot be resolved by adat institutions because adat institutions participate in these conflicts. Finally, the role of the Kerinci Regency regional government to resolve the conflict.

Based on Law No. 23 of 2014 concerning Regional Government Article 1 paragraph (2), it is explained that the Regional Government is the regional head as an element of the regional government that leads the implementation of government affairs which become the authority of the autonomous region. The task of the regional government is regulated in Article 25 paragraph (1) in which the regional government has the duty to foster inter-ethnic harmony, religion, race, to realize local security, and the government also has the duty to handle social conflicts in accordance with the provisions of the applicable laws. In the tasks of the regional government, there are general government affairs in which the Regent is responsible for resolving conflicts in paragraph (6) emphasizing that the Regent / Mayor in carrying out general government affairs as referred to in paragraph (2) at the sub-district level delegates the implementation to the sub-district head.

The local government of Kerinci Regency in resolving conflicts that occur between Pulau Sangkar Village and Kebun Baru Village can be quickly resolved compared to similar land conflicts that occur in other areas such as conflicts that occur in Tamiai, Batang Merangin District, Kerinci Regency. Land conflicts that occur in Tamiai are between the residents of the Tutung River and the Tamiai community. Land conflicts between the two villages have occurred for decades ago (<http://www.Kricom.Id>).

Based on the description above, the purpose of this study is to determine the causes of conflict and the Kerinci Regency government's strategy in resolving conflicts over customary land in Bukit Kerman sub-district.

B. LITERATURE REVIEW

1. Local Government

According to Soemendar in Syafiie (2014), the government as an important body in the framework of government, the government should also pay attention to public peace and order, demands and hopes and opinions of the people, the needs and interests of the community, environmental influences, arrangements, communication of participation all walks of life and legitimacy.

According to the large Indonesian dictionary, the government is a system of exercising authority and power to govern the social, economic, political life of a country and its parts (Purwadarminto, 1989).

2. Conflict

Conflict is one of the essences of human life and development which has diverse characteristics. Every human being has differences in both sexes, social strata, economy, the legal system, nation, ethnicity, beliefs, political flow, as well as culture and life goals. As long as there are differences that conflict can not be avoided and will always occur (Wirawan, 2016).

Based on the provisions of Article 1 paragraph (1) of Law Number 7 of 2012 Concerning Handling of Social Conflict, social conflict is a feud and / or physical clash with violence between two or more groups of people which takes place within a certain time and has a broad impact that results in social insecurity and disintegration so disturbing national stability and hampering national development. From the above explanation, it can be concluded that conflict is the result of social processes between individuals or groups.

Conditions that occur in the form of disagreement and disputes arising from competition and differences in objectives. The result can cause anxiety and insecurity because more or fewer conflicts occur using threats and acts of violence in achieving their goals. The conflict is also identical to the tendency that occurs in an environment that has a pluralistic type of society.

There are many theories that explain the causes of conflict. One of them mentioned that the conflict arose because of the following things:

1. Public relations theory, this theory states that conflicts occur due to ongoing polarization, distrust and hostility between different groups in society.
2. Conflict negotiation theory, this theory assumes that conflict occurs because of positions that are not aligned and differences in views about conflict by parties experiencing conflict.
3. The theory of human needs, this theory assumes that conflict is caused by basic human needs that are not fulfilled or impeded.
4. Identity theory, this theory assumes that conflict is caused by an identity that is threatened, which is often rooted in the loss of something or suffering in the past that is not finished.
5. The theory of misunderstanding between cultures, this theory assumes that conflict is caused by the mismatch of ways of communicating between different cultures. Conflict transformation theory which states that conflict is caused by inequality and injustice that appears as social, cultural, and economic problems (Rosana, 2015).

Based on the opinion above, the author can conclude that there are many factors from various aspects of human life that can possibly cause a conflict because there are already fundamental differences namely cultural diversity, ethnicity, religion, and race. These differences can lead to conflict because it contains the sensitivity of certain groups to other groups.

Conflict resolution is a comprehensive term that implies that an attempt was made to pay attention to the roots of a conflict and its resolution efforts. This effort means reaching an agreement between the parties to the conflict and allowing them to end the conflict. The purpose of conflict resolution is to transform conflict with existing or potential violence, into a process of peaceful social change (Yusaputra, 2014). Conflicts between Pulau Sangkar Village and Kebun Village can only be resolved through the mechanism of adat institutions/or social institutions in Law Number 7 of 2012 in Article 41 concerning Handling of Social Conflicts.

C. METHODS

This study used the descriptive qualitative method. Descriptive qualitative research methods. In qualitative research the researcher presents the results of the study descriptively, the researcher taking a sample of informants must know firsthand the conflict that occurred at that time, and who was involved in handling the conflict. Observations were made at the place that was made the object of research, namely Pulau Sangkar Village, Bukit Kerman District and Kebun Baru Village, Gunung Raya District in Kerinci Regency. Researchers in this technique use structured interview techniques. The structured interview technique is carried out with the researcher making interview guidelines according to the problem that will be used for the question and answer with the informant.

D. RESULT AND DISCUSSION

1. Causes of Rencong Telang Customary Land Conflict Between Pulau Sangkar Village and Kebun Baru Village

Conflict can not be separated from human life, without realizing and planned with whom we will conflict. Like the conflict between the people of Pulau Sangkar, Bukit Kerman Subdistrict and Kebun Baru Village, Gunung Raya Subdistrict, which started because the people of Pulau Sangkar village wanted to bring order to the Rencong Telang customary land in their area, which eventually led to a misunderstanding between the two village parties, resulting in conflict. Based on the results of interviews, that the Kebun Baru agricultural area is owned by Rencong Telang adat. Conflicts that occur only instantaneously which began many years ago, part of Rencong Telang customary land is managed by Kebun Baru Village, which due to the Sangkar Island community at that time, the population is still small and needs to fulfil the minimum living, while the cultivated land is very extensive. Therefore, the people of Sangkar Island do not mind the land being cultivated by Kebun Baru Village. Unlike the case now, the population is increasing and the need to fulfil life is also greatly increased and agricultural land to be cultivated is increasingly reduced. Therefore, the Sangkar Island community requested that the Rencong Telang traditional land, partly processed by the Kebun Baru community, be returned to the Sangkar Island community, where the Rencong Telang traditional land functions to improve the economy and welfare of the Sangkar Island community. But, Kebun Baru Village did not want to surrender the land to Pulau Sangkar Village on the grounds that the land had been bought from the traditional institution of Sangkar Island. Without the knowledge of the Sangkar Island community. Of course, the people of Sangkar Island do not want to accept this because customary land cannot be traded without mutual agreement. This problem leads to conflict. The conflict, which lasted for three days, involving the Sangkar Island community and Kebun Baru community, began on March 12, the Sangkar Island party began to make road access using

heavy equipment. On March 13, a dispute arose between several people from the Sangkar Island community and several people from the Kebun Baru community, starting with a verbal argument that both parties defended their respective rights and threw stones at each other. The peak occurred on March 14, which involved some people from Pulau Sangkar Village residents and almost all residents of Kebun Baru Village.

The conflict that occurred between Pulau Sangkar Village and Kebun Baru Village caused many women and children from Kebun Baru Village to feel afraid and evacuate the neighbouring village, i.e. The incident also caused losses to both parties both Kebun Baru Village and Pulau Sangkar Village. Such as injuries, houses and vehicles as well as causing damage to community gardens. The conflict that occurred between Pulau Sangkar Village and Kebun Baru Village, based on the results of field research, showed that there were a variety of reasons for the conflict over traditional land. The cause of the conflict between Pulau Sangkar Village and Kebun Baru Village was reduced agricultural land and land ownership status.

Agriculture is the main income to meet daily needs and improve the economy of the community. The area of land for agriculture in Pulau Sangkar Village is around 1765 Ha, with 196 households. Even though they have a very large area of land, the people of Pulau Sangkar Village feel that such land is still lacking because part of their land belongs to the landlord. Because the world of education is getting more different now than it was in the past to farm only to meet their daily needs, but now to meet the education costs of their children. Even the advancement of the education world of the children of Pulau Sangkar Village, many continue their education outside the region. Along with that, the lifestyle has changed, which certainly affects their income, because everyone wants a prosperous life that can meet economic needs to be able to use any means, as in the Pulau Sangkar Village, the community meets their needs by relying on agricultural land along with the increasing population, of course

increasingly a lot of lands to be used. The lack of land also affects some of the youth of Pulau Sangkar Village more often to hang out and some of them manage the land owned by others by sharing, they feel they have no choice but to not have any activities. Thus, the lack of land for agriculture causes Pulau Sangkar Village to want to bring order back and manage their customary lands which are partly managed by Kebun Baru Village. This is one of the main causes of conflict between Pulau Sangkar Village and Kebun Baru Village.

Unclear land boundaries are the cause of conflicts between Pulau Sangkar Village and Kebun Baru Village. This gives rise to each party maintaining and equally feeling ownership of the land. Pulau Sangkar village said the land was their customary land. Meanwhile, Kebun Baru Village said that the land belonged to those who had managed the land for years and that the land was the Rencong Telang Customary land because Kebun Baru Village had a majority of newcomers to follow the local customary rules: where the earth was trampled where the sky was upheld. Land ownership status causes ownership recognition from both parties. This is the cause of conflict between Pulau Sangkar Village and Kebun Baru Village.

2. Kerinci Regency Government's Strategy in Settling Rencong Telang Indigenous Land Conflict in Bukit Kerman District

The strategy of the Kerinci Regency Government in resolving Rencong Telang adat land conflicts in the Bukit Kerman District is through mediation and facilitation. Mediation is a process that requires the efforts of parties in conflict with the mediator. The mediation process requires the desire of the parties to the conflict to resolve the conflict with the help of the mediator. Mediation aims to create an agreement and can improve new relationships. Before meditating, the parties to the conflict have agreed to the settlement through the mediator. As a conflict between Pulau Sangkar Village and Kebun Baru Village have agreed that the conflict was resolved by the Kerinci Regency local government and the Indigenous Depati Lekuk 50 Tumbi Institution that

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participated as mediators, because the Kebun Baru Village was included in the Lekuk 50 Tumbi area and according to history that formerly Pulau Sangkar Village with Depati Dukuk 50 Tumbi had a very close family relationship which was likened to Pulau Sangkar Village as grandfather and Lekuk 50 Tumbi were grandchildren.

In the process of resolving the Rencong Telang customary land conflict between Pulau Sangkar Village and Kebun Baru, both agreed to be resolved through a mediator, then the next step is to determine the mediation agenda of the event or mediation activities from the first meeting to the decision-making process and determine the location of the mediation meeting location. The mediation process of conflict resolution between Pulau Sangkar Village and Kebun Baru Village which was carried out in Sungai Penuh took place in the BP4D room which was held three times as mediation, because the conflict case had been a long time since the mediation process was no longer remembered. Those attending the mediation process were representatives of the two conflicting parties, the Pulau Sangkar Village Customary Institution and Kebun Baru Village Customary Institution, Bukit Kerman District Head, Gunung Raya Sub-District Head, Forcopincam and 50 Tumbi Customary Depati. Then the third mediation was continued on April 11, 2017. The settlement process was attended by the Kesbangpol district head, BPN Head, Head of Governance, Kerinci Regency Adat Institute, Batang Merangin Sub-District, Bukit Kerman Sub-District, Gunung Raya Sub-District Head, Forkopimcam residents, Kebun Baru Village, Depati Indigenous Archive 50 Tumbi, and representatives of Rencong Telang Indigenous Depati. In the mediation process, all parties are present in the settlement process because both parties want to quickly resolve the issue.

As a result of the mediation process that has been carried out three times as mediation, so that the conflict does not increase and minimize the conflict again so that an agreement letter is formed between Pulau Sangkar Village and

Kebun Baru Village and signed by both parties and parties present in the conflict resolution process. The agreement was in the form of an agreement between the parties to the conflict so as not to create a new conflict. The contents of the agreement are as follows:

- a. The people of Kebun Baru Village in order to maintain a common balance in social life where the earth is trampled on where the sky is upheld, where tentacles are planted, where the branches are broken where the water is stolen. The New Kebun Society will obey the customary rules that apply in the local adat area. And the Kebun Baru community recognizes and respects the traditions of Depati Rencong Telang.
- b. Depati Rencong Telang guarantees that there will be no evictions/evictions of residents/cultivators in Kebun Baru Village.
- c. The problems of the Kebun Baru customary area will be resolved by customary agreement between Depati Rencong Telang and 50 Tumbi Traditional Lekuk.
- d. Both parties agreed to carry out the reconciliation carried out by the Kebun Baru community by coordinating with the 50 Tumbi Dependent Depati.
- e. Both parties agreed to maintain mutual security and order and not to take anarchist actions that are in conflict with the law.
- f. Both parties agreed to socialize this agreement with male children and batino children.

A binding agreement between Pulau Sangkar Village and Kebun Baru Village must not be violated by both parties to the conflict. If one of the parties that violate the agreement will get a sanction in the form of punishment in accordance with the provisions of the Law so that the public is afraid to repeat. Because of the agreement between Pulau Sangkar Village and Kebun Baru Village, the situation of the two villages is now safe, comfortable, peaceful and peaceful.

While in the facilitation phase, in the process of resolving the conflict which was held three times on 17 March and 11 April 2017 the government facilitated the meeting in the form of a meeting room, and determined the meeting agenda. The room provided at Sungai Penuh is in the BP4D pattern, which is attended by representatives of both conflicting parties and mediators. Facilitation is the government's strategy in resolving conflicts, the government is the third person in resolving conflicts that occur between Pulau Sangkar Village and Kebun Baru Village. The government determines the location / provides a place to be used to bring together conflicting parties and sets the time for the meeting agenda to reach an agreement. The local government facilitated Pulau Sangkar Village, Bukit Kerman Subdistrict and Kebun Baru Village, Gunung Raya Subdistrict, to hold a meeting to discuss the problems that formed the basis of the conflict. This is one of the strategies of the local government so that the conflict is quickly resolved and reaches the point of the problem so that it does not recur in the future.

Factors causing Rencong Telang customary land conflicts can be resolved in a relatively short time due to the awareness of both parties to the conflict and the rapid decline of the conflict location police. High awareness between the two conflicting parties as present in the settlement process in accordance with the predetermined agenda, the community is equally aware that conflicting conflicts can cause harm to the present and the future, therefore we, both conflicting villages, are present in the process of completion in accordance with a predetermined agenda. The community has an important role in the conflict resolution process yesterday because, without the awareness of the community, the conflict might not have been resolved. From the above statement, the authors conclude that the conflict can be resolved because of the awareness of the conflicting parties. so that it can be resolved peacefully in a relatively short time and the creation of a safe and comfortable atmosphere.

Conflict of Rencong Telang customary land between Pulau Sangkar Village and Kebun Baru Village resulted in the police quickly descending to the field to secure the location of the incident so that the conflict was quickly resolved so that no casualties could cause revenge between the two parties so as to prevent prolonged conflict. In that incident, the Kerinci Kalpolres deployed 100 Police Personnel to secure the location of the incident that occurred on Tuesday, April 14, 2017. At that time the two sides attacked each other so that the police did various ways to stop the incident. The police split the two forces to detain the two sides, finally, the police fired tear gas so that the conflicting parties ran away from each other to make the atmosphere conducive. In-Law Number 7 of 2012 concerning Handling of Social Conflicts in Article 1 paragraph (14) explains that the National Police is a state instrument that plays a role in choosing security and public order, enforcing the law, as well as providing protection, protection, and service to the community in the context of maintaining it internal security.

Based on the explanation above it can be concluded that the descent of the police to the location of the conflict is a strategy of the local government in resolving conflicts between Pulau Sangkar Village and Kebun Baru Village to avoid the bloodshed that results in prolonged conflict and to prevent similar incidents in the future. So the local government measures again and clarifies the boundaries between the villages so that there are no misunderstandings.

E. CONCLUSION

The main cause of the conflict between Pulau Sangkar Village and Kebun Baru Village was due to lack of agricultural land, and lack of clarity between the villages caused a misunderstanding. So that both villages both recognized that the land belonged to them, which eventually led to conflict. The strategy of the regional government in resolving conflicts through mediation between the two conflicting parties so that an agreement is formed between Kebun Baru Village and Pulau Sangkar Village so that the conflict does not recur. In *JISPO VOL. 9 No. 2 Edisi: Juli-Desember Tahun 2019*

addition, the regional government facilitated the conflict resolution process between the two parties.

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