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Resolution of Agrarian Conflict in the Santoso Area of Palembang City (A Case Study of Authorities and Community in the Santoso, Palembang City)

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ABSTRAK

The title of this study is "Resolving Agrarian Conflict in the Santoso Region, Palembang City (A Case Study of Authorities and Community in Santoso Region, Sukari Village, Palembang City)." The Santoso area is situated near the TNI AU Air Base Sri Mulyono Herlambang, and according to local residents, its establishment dates back to around 1959.

This research employs descriptive qualitative methods, with primary data sourced from the Santoso Community in Sukarame Village, Palembang City. Secondary data include literature from books, journals, documentation, and information gathered from the community involved in the research problem. Data collection techniques involve observations, documentation, and interviews. Data analysis comprises qualitative methodologies such as data reduction, data presentation, and drawing conclusions through verification.

The findings of this thesis reveal that conflict resolution ensued following consultations among various stakeholders to reach a compromise, resulting in peace between the Santoso Community and the Indonesian National Army. However, it is unfortunate that this peace was not formalized in written agreements but remained verbal. Consequently, residents of Santoso still perceive an absence of complete peace and harbor concerns about potential recurrences of conflict

Keyword: agrarian, rconflict esolution, santoso Palembang

ABSTRAK

Penelitian ini berjudul Resolusi Konflik Agraria Di Wilayah Santoso Kota Palembang (Studi Kasus Aparat dan Masyarakat Wilayah Santoso Kelurahan Sukari Kota Palembang). Daerah Santoso berada disekitar lingkungan TNI AU Lanud Sri Mulyono Herlambang. Menurut warga sekitar awal mula adanya pemukiman santoso ialah sekitar tahun 1959.

Penelitian ini menggunakan metode penelitian deskriptif kualitatif dan data primer dalam penelitian ini ialah berasal dari Masyarakat Santoso Kelurahan Sukarame Kota Palembang, sedangkan data sekundernya ialah buku-buku, jurnal-jurnal,

dokumentasi dan informasi yang didapat dari masyarakat yang terkait dalam permasalahan penelitian. Teknik penelitian pengumpulan data berdasarkan hasil observasi, dokumentasi, dan wawancara. Teknik analisis data menggunakan kualitatif yaitu reduksi data, penyajian data dan menarik kesimpulan verifikasi.

Hasil penelitian ini menunjukkan bahwa resolusi dari konflik yang terjadi ini akhirnya setelah beberapa pihak bermusyawarah untuk mendapatkan jalan tengah tersebut maka dihasilkannya perdamaian antara Masyarakat Santoso dan Tentara Nasional Indonesia, tetapi yang sangat disayangkan perdamaian tersebut tidak dilakukan di atas kertas dan karena hanya dilakukan sebatas omongan saja, hingga sampai saat ini masyarakat Santoso masih merasa belum merasakan ketenangan seutuhnya, dan masih ditakutkan apabila hal tersebut akan terjadi kembali.

Keyword: agrarian, resolusi konflik, Santoso Palembang

INTRODUCTION

Indonesia is an archipelagic nation comprising over 17,000 islands inhabited by approximately 255 million people, a figure that places Indonesia as the fourth most populous country in the world. This statistic also implies a rich diversity of cultures, ethnicities, religions, and languages within the nation. These cultures vary greatly, from the Hindu rituals practiced daily in Bali to the (partial) implementation of Sharia law in Aceh and the hunter-gatherer lifestyle of the Mentawai people.

The diversity of ethnicities with their cultures across Indonesia represents the nation's cultural richness and warrants special attention. Each ethnic group possesses unique cultural traits that contribute to the identity of other Indonesian ethnicities. Indonesia is a nation founded on the principle of "Bhineka Tunggal Ika" (Unity in Diversity), encompassing a wide array of ethnicities, languages, and cultures that differ from one another and can be understood by studying the cultural aspects of these ethnic groups.

Indonesian society, from past to present, has adhered to norms or customs known as culture, which serve as guidelines for daily life. One culture that remains preserved is how a community collectively resolves issues.

The characteristics of South Sumatra society, particularly in Palembang city, are predominantly Malay ethnicity and migrants from Arab, Javanese, (outside South Sumatra) Komerling, Sekayu, Pagaram, Lahat, etc. (within South Sumatra). Each ethnicity has its own way of problem-solving.

Palembang city also exhibits relatively complex population diversity in terms of both ethnicity and religion, with high levels of segregation into residential and occupational groups. In terms of ethnic composition, there is a significant Javanese population, followed by a number of Sundanese, Batak, Padang, Bugis, Malay, Sekayu, and Chinese ethnic groups (Pradjoko Didik, 2013:137).

The Santoso area is located around the vicinity of the TNI AU Sri Mulyono Herlambang Air Base, where the community has been residing since 1959. The majority of the inhabitants are of Javanese descent, as many are not originally from the area but have relocated from various regions including Java and Sumatra.

After residing in the area for so long, they eventually received notices to vacate the area due to the construction of public facilities and sports venues. This came as a shock to the community, who initially believed it to be mere hearsay, but it turned out to be true. Subsequently, representatives from the area gathered to devise strategies to defend their land.

The Santoso community adamantly refused to leave their land and were determined to defend it, having resided there for a long time and feeling confused at the prospect of being displaced. They devised several strategies to protect their territory. However, state authorities did not accept the argument that long-term residency entitles them to retain their land or territory, as they are also obligated to fulfill their duties as state officials. They are bound by existing regulations, including the 1997 Republic of Indonesia Land Law.

Furthermore, the residents did not want to be displaced as they already held land ownership certificates (SHM) for the land they occupied. This argument formed the basis for the community's social movement to uphold their rights and continue residing in the area.

LITERATURE REVIEW

Limiting the problem will be directed and focused on discussing the Resolution of Agrarian Conflict in the Santoso Region of Palembang City (A Case Study of Authorities and Community in the Santoso Region, Sukarami Sub-District, Palembang City). The aim is to ensure that the issues examined are not broadened and are directed.

Ktut Diara Astawa's research in his journal titled "Strategies for Resolving Plantation Land Conflict" explains the conflicting strategies applied by stakeholders in the Kalibakar plantation land conflict process, including: competing, collaborating, avoiding, accommodating, and compromising strategies. Competing strategy involves fulfilling one's own group, regardless of the impact on the opposing party. Collaborative strategy is an effort by conflicting parties to satisfy the interests of all parties involved. In this case, farmer groups and PTPN XII seek mutually beneficial outcomes, resulting in the formation of a farming cooperation. Avoidance strategy is an effort by farmer community groups to withdraw and avoid any conflict.

Geidy Tiara Ariendi and Rilus A. Kinseng's study titled "Farmers' Struggle Strategies in Gaining Access and Control Over Land" describes the efforts made by farmers in Cisarua Village, including Asia-style struggles and types of incidental resistance as revealed by Scott. Analyzed according to Sitorus (2006), the struggle of Cisarua Village farmers falls into the cultivation struggle, where land is factually cultivated by farmers, but is also claimed and managed by plantation parties. Cisarua Village farmers compromise with foremen individually. Compromise is considered more beneficial for the community than resorting to violence. After reaching a compromise, farmers are then required to pay rent calculated based on the number of stakes they cultivate. After obtaining land, farmers gradually expand their land in secret to avoid detection by foremen.

Fuat Hasan's study titled "Farmers' Resistance Strategies in Land Dispute Conflicts in the South Coast of Kulon Progo, Yogyakarta" explains the diverse resistance strategies used by PPLP in rejecting iron sand mining. Various forms of resistance strategies have been employed in legal, political, and direct action domains. PPLP launches these strategies when opportunities arise, such as in legal matters when Tukijo's

arrest violated procedures. Meanwhile, direct actions by PPLP include demonstrations at various locations such as the Regional Representatives Council (DPRD), the Office of the Regent of Kulon Progo, Gadjah Mada University, and even the Indonesian House of Representatives (DPR) in Jakarta. These demonstrations aim to demand accountability from the government regarding iron sand mining activities.

Estevina Pangemanan's study titled "Efforts to Resolve Land Ownership Disputes" describes the government's efforts to settle land disputes through various means. As a follow-up to resolving disputes, steps can be taken based on instructions from superiors or initiatives from the relevant Agrarian Office Chief concerning disputed land, such as temporary prevention/cessation of any form of mutation. The purpose of prevention is to temporarily halt any changes. The first usefulness is for research purposes in resolving disputes because without it, settling disputes will be difficult when making decisions later. For example, disputed land is sold, which would disadvantage well-intentioned buyers.

Ratnah Rahman's study titled "Community Conflict with the Government: A Case of Customary Land Disputes" explains that land disputes can arise due to desires to control land resources. Additionally, there are parties who want to utilize land for specific purposes, resulting in agrarian conflicts and disputes over customary land, which are becoming increasingly rampant with phenomena such as large-scale land acquisitions for government development projects or private sector projects in pursuit of economic growth. Ultimately, agrarian conflicts and disputes over land become continuous resources that continuously sacrifice the people. The community's form of resistance includes gradual actions to fight for their interests and community. There are several peaceful ways or tactics carried out by local communities to demand their rights, such as lobbying companies and local authorities by sending letters and meeting directly with relevant officials.

Based on the above data sources, what distinguishes the researcher's writing from previous writings is that the research focuses on the dynamics and forms of Agrarian Conflict Resolution in the Santoso Region of Palembang City (A Case Study of Authorities and Community in the Santoso Region, Sukarami Sub-District, Palembang City). Using a descriptive research type with a qualitative approach aimed at creating a descriptive, factual, and accurate portrayal of the facts and characteristics of a specific population or object.

METHOD

In this research, the researcher utilized the Descriptive Method by gathering data related to the Resolution of Agrarian Conflict in the Santoso Area of Palembang City (A Case Study of Authorities and Community in the Santoso Region, Sukarami Sub-District, Palembang City). This study is categorized as descriptive research because the approach taken is qualitative. Arikunto (Suharsimi Arikunto, 1992:129) explains that descriptive studies involve "collecting as much data as possible about factors that support the research." Additionally, the researcher explores and describes, aiming to explain and predict a phenomenon based on field-acquired data. After collecting data and information according to different categories, the researcher proceeds to provide descriptions and analyses. The descriptive findings are conclusions drawn by the researcher. Data analysis in this study is qualitative, as the data collected consist of words rather than numerical

values. The descriptive method involves thinking from the general to the specific. Data obtained from location analysis are documented, managed, and observed, leading to conclusions being drawn from them.

RESULT AND DISCUSSION

In 2011, the Santoso community was visited by Indonesian Air Force soldiers. Initially, their presence was for a full day patrol in the Santoso area as ordered by their superiors. At that time, the Santoso community experienced some anomalies where the Indonesian Air Force soldiers patrolled outside the Indonesian Air Force base.

Causes of Conflict Between the Santoso Community and Authorities

After this incident, there were no more patrols conducted by the Indonesian military in the Santoso area. Several months later, in March 2011, Indonesian Air Force soldiers returned, but with a different purpose from their initial visit.

The soldiers arrived, from leaders to the lowest ranks, bringing orders from the Indonesian Air Force Headquarters stating that the Santoso community was instructed to vacate the area because it was to be turned into the capital district, a golf course, an off-road circuit, and a shooting range. Additionally, the community was promised compensation. The compensation would be in the form of 10% cash of the land's value and relocation to the Rawa Apartment Complex. However, the apartments would only be built if the Santoso community agreed to relocate from their original location. The Santoso community rejected this proposal because they already possessed legitimate land ownership certificates (SHM) for the land.

Efforts Made by the Santoso Community to Defend Their Land

Over time, the Santoso community grew increasingly frustrated with the behavior of the military, which disrupted their activities and made them uncomfortable. Almost all homes in the Santoso area were guarded by the military to prevent any unrest, but this surveillance often felt like harassment. Mr. Mustakim, the head of the Santoso neighborhood, revealed that his residence was closely monitored and guarded for almost 12 hours a day.

Eventually, the surrounding community became resentful of their treatment, prompting Mr. Mustakim to advise the Santoso residents on how to deal with the situation. He emphasized the importance of defending their land, as they had deep emotional ties to Santoso and had lived there for a long time. The military, he argued, were newcomers who claimed the land as part of the Indonesian Air Force base without considering the residents' ownership rights.

Resolution of Conflict Between the Santoso Community and Authorities

This conflict lasted from 2011 to 2014. Numerous threats and tensions arose between the Indonesian military and the Santoso community during this period. Some chilling incidents occurred, such as the power outage in the Santoso area for almost 10 hours, preventing normal activities. Additionally, the Santoso community was unable to install a public water supply without permission from the military. Some residents were afraid of the military's threats, causing some to relocate.

Mr. Mustakim described a particularly alarming incident where 11 people were shot with rubber bullets by the Indonesian Air Force soldiers. Although there were no serious injuries, the victims suffered deep trauma.

Following this incident, there were no further confrontations between the Santoso community and the Indonesian military. However, as of now, there has been no resolution between the community and the military due to the military's institutional power. The military considered their actions justified based on orders from their superiors. Institutionally, their actions may be correct, but the community feels otherwise, as they believe the military acted oppressively. The Santoso community holds valid land ownership certificates issued by the National Land Agency.

In an Islamic perspective, agrarian resolution encompasses *Fiqih Ihya Al-Mawat*, which regulates agrarian issues. Islam encourages revitalizing unused land for the benefit of society. According to a hadith, "he who cultivates unused land deserves to own it." This principle underscores Islam's emphasis on utilizing land for the common good.

The Muhammadiyah Council's decision outlines six fundamental values of agrarian law: monotheism, noble ethics, public welfare, justice, humanity, and consultation. These values emphasize the importance of harmonious land management to prevent conflicts.

CONCLUSION

The conflict, initiated by the Indonesian Air Force in 2011, began with several soldiers patrolling the area. Later, they returned with a different purpose: to inform the Santoso community to vacate their settlement because their land was slated for a golf course, off-road circuit, and capital district, as ordered by their superiors.

The Santoso community refused to leave their land, as they possessed land ownership certificates (SHM). They made numerous efforts to defend their land, refusing to abandon it despite the military's orders. The community asserted that the actions of the authorities were unjust.

The resolution of the conflict came with the intervention of the National Commission on Human Rights (KOMNAS HAM) as a mediator. After their involvement, the conflict was resolved through consensus.

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