CONFLICT OVER STATE FOREST LANDS OF INDONESIA:
A CASE OF FOREST REGION IN EAST JAVA

By
I Nyoman Nurjaya

ABSTRACT
Within Indonesia, Java presents an especially interesting and important arena for understanding the forest control and management and impacts of these controls on dependent-forest people. The Government defines that around 3 million hectares of Java's State forest region are under the management of State-owned Forestry Corporation (Perum Perhutani) to control and manage the forest of Java. The differences between Perum Perhutani and the dependent-forest people access and interest create tense relations and conflict over forest resources, and forest lands in particular, namely conflicts between State foresters and forest villagers over forest resources. The study shows that conflicts over forest lands between the State foresters and the dependent-forest villagers is mainly caused by the differential access and perception to forest resources, the increasing need of the people over forest lands, as well as the lack of coordination between State Forest Corporation and the Regional Government of East Java in managing forest resources in the region. Understanding pattern of conflicts between Perum Perhutani and the forest villagers requires some knowledge of historical background of forest control and management in the region. Therefore, forest-based conflict must be studied in historically specific context namely the historical background of forest control and management during both the Dutch colonial Government and Japanese Army invasions in the country in order to obtain prudently dispute settlement strategy over forest resources on Java.

Key Words: Conflict Resolution, State Forest Lands, State-Owned Forest Corporation, Dependent-Forest People, Forest Villagers

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2 Teaching staff Faculty of Law Brawijaya University, Indonesia (nurjayai@yahoo.com)
INTRODUCTION

Indonesia is an interesting arena to explore the relationship between nature of the State and the making and implementation of forestry law and policy. It is a large country, which holds around 10% of the world's moist tropical forest, and about 50% of the Southeast Asia's tropical rain forest region (Gillis, 1988; Barber, 1989; Poffenberger, 1990). Within Indonesia, Java presents an especially interesting and important arena for studying the forest control and management and the impacts of these controls on dependent-forest people. With only 7% of the country's land area, Java is home to more than 100 million people, at average density of 690/km$^2$ and reaching as high as 2000/km$^2$ in some irrigated rice areas (BPS, 1986; Simon, 1990). Some 80% of Java's population lives in rural areas, most of them depend on agriculture, directly or indirectly, for their daily livelihood (Bratamihardja, 1990; Warnaputra & Widardjo, 1990; Rajagukguk, 1995).

Java's agriculture systems are the heart of the Indonesian agriculture sector, which is the most important sector of the economy, and provides two thirds of the nation's food. But, in fact, nearly 3 million hectares or around 23.2% of Java's land area are politically classified as State forest lands, and officially off limits for agricultural or other development. These forest areas play an important role in maintaining the viability of the island's soil and water resources, and therefore its agriculture. It is, therefore, the welfare of the island and the nation are directly linked to the condition and prospects of the forest areas on Java (Barber, 1989; Peluso, 1992).

It is estimated that a total of 25 million people live in or near Java's State forest in over 6,000 villages. Almost 60% of the households in forest villages depends on agriculture as their primary source of daily income. Numerous case studies indicate that in many villages on Java, around 40 to 60% of the peasant households is landless or nearly landless. Low household income levels and small agricultural landholdings cause agricultural labor surplus and high unemployment. This such conditions, combination of the increasing population, densely settled and poor rural population, are therefore putting increasingly pressure on the forests and upland watersheds (Stoney & Bratamihardja, 1990). Millions of the forest villagers seek access to forest lands and other forest products namely collecting of fuel-wood and feeder for livestock, building materials, teak leaves, wildlife and minor forest products, cultivation of forest lands, and use forest areas for the grazing of livestock (Barber, 1989; Simon, 1991).

It is estimated that almost 3 million hectares of Java's State forest area are under
the management of State-owned Forest Corporation (Perusahaan Umum Kehutanan Negara shortened to Perum Perhutani). The State-owned Forest Corporation possesses an authority to control and manage the State forest region of Java in three provinces namely West Java, Central Java, and East Java. According to Government Regulation of 1999 (Peraturan Pemerintah No. 53 Tahun 1999) the Perum Perhutani is particularly mandated to increase the production of wood and other forest products, to preserve and protect the forest resources and watershed, and to stimulate employment opportunities for the rural people.

The differences between the Perum Perhutani and forest villagers interests potentially create tense relations in rural areas namely conflicts between State foresters and forest villagers over forest resources mainly forest lands. A number of studies indicated that the fundamental source of the conflicts is the forest access regime, in which Perum Perhutani is under pressure to increase forest products for the State revenue which needed to support State financial for the implementation of National Development, as well as to preserve forest region for environmental conservation reasons, while forest villagers are strongly depend on forest resources, forest lands in particular, in order to survive in their daily live.

The study was intended to observe and analyze interaction between forest villagers and the State foresters and forest guards, as well as conflict and conflict resolution over State forest lands in East Java, Indonesia with special reference to forest region of Dampit District, Malang Regency. It is, therefore, objectives of the research were mainly as follows:

1. To understand historical background of the conflict over State forest lands between Government and the forest villagers that occurred in East Java particularly within the State forest region of Malang.
2. To observe sort of forest villager strategies and resistances in confronting forestry laws and policy enforced by State foresters and forest guards in the region.
3. To observe and analyze conflict resolution process and mechanism as well as the actors who involved within the process of forestry dispute settlement.
RESEARCH METHOD AND TECHNIQUE

The research carried out in State forest region of Malang, East Java with special reference to Dampit District Forest Region (Bagian Kesatuan Pemangkuan Hutan/BKPH Dampit). Forest region of BKPH Dampit located in the territory of Malang Regency (Kesatuan Pemangkuan Hutan/KPH Malang). Forest region of Malang is under the authoritative of State-owned Forest Corporation Unit II of East Java (Perusahaan Umum Kehutanan Negara/Perum Perhutani Unit II Jawa Timur). The Perum Perhutani is officially State-owned Forest Corporation which established and mandated by Forestry Department the Republic of Indonesia especially to control and manage State forest region of Java.

Data compiled during the research was primary and secondary data. Secondary data in the form of documentary data collected in the Central Office of State-owned Forest Corporation in Jakarta, as well as in the branch office of the Forest Corporation in Surabaya, East Java. The documentary data included forestry laws and regulation, forestry policy and annual reports, and others relevant documentary data in the office of Perum Perhutani in Malang Regency. In this respect, a fieldwork method was needed to be conducted with the purpose of collecting primary data within the research site. Hence, the stakeholders who involved in the process of conflict resolution such like forest villagers and State foresters as well as forest guards in the mentioned forest region interviewed by employing in-depth interview technique. Open-ended interview carried out and completed with the instrument of interview guide during the fieldwork.

In order to complete primary data during the field work, a non-participant observation technique was used for the purpose of observing and understanding the illegally occupied forest lands sites in the region. In this sense, a number forest villages in the territory of Dampit District, Malang Regency namely villages of Sanankerto, Tamansatrian, Sumbertangkil, Kepatihan, Purwodadi, Pujiharjo, Tamansari, Sidorenggo, Sonowangi, Purwoharjo, Wirotaman, and Mulyosari were visited and directly observe.

Data gathered during the research, both primary and secondary data interpreted and analyzed by employing qualitative method. Content analyses method especially used to study documentary data that gained from the Government namely the offices of State-owned Forest Corporation, the Regional Government of East Java Province and Malang Regency, as well as the related officials agencies in Dampit District.
RESEARCH FINDINGS

Ideology of the State Authority and Legitimacy in Controlling and Managing Forest Resources of Indonesia

Historically, forest resource of Java had been intensively exploited for centuries. The State forest management policies on Java have been characterized by the increasing enclosure of forest lands, the monopolization of forest access and production surplus by a specialized forestry bureaucracy, the development of an ideology of forest protection and conservation, and the imposition of a coercive, custodial forest protection apparatus (Barber, 1989).

Under the formal access and distribution regime, the bulk of forest resources are absolutely under the control and management of the State, in order to fulfill its mainly three roles namely Government Landlord, Forest Enterprise, and Forest Conservation Institution simultaneous. These roles are legitimized by laws and regulation, and are implemented as well as enforced by field-level State Forest Guards and Forest Police (Peluso, 1990, 1992).

For the Indonesian context, the ultimate source of authority for State control over natural resources is the 1945 Constitution particularly pointed out in Article 33 Paragraph (3) which states: “Land and water and the natural resources contained therein shall be controlled by the State and shall be utilized for the greatest welfare of the people”. This basic principle of State control over natural resources is then reaffirmed and elaborated within the Basic Agrarian Act of 1960 (Undang-undang No. 5 Tahun 1960 tentang Peraturan Dasar Pokok-pokok Agraria), and in the Basic Forestry Law of 1999 (Undang-undang No. 41 Tahun 1999 tentang Kehutanan), and other related forestry Government Regulations in the country. The Basic Forestry Law of 1999 (BFL of 1999) is a comprehensive statement of State forestry policy, and the primary source of authority and guidance for structuring of forestry administration, the making of regulations, and forest policy implementation. It clearly reaffirmed that: “All forest areas inside the officially territory of Indonesia, including their natural resources contained therein, are controlled by the State and shall be utilized for the greatest welfare of the people (Article 4 [1]).

In Java island particularly, almost 3 million hectares of the permanent forest area are under the control and management of a State-owned Forestry Corporation (Perusahaan Umum Kehutanan Negara shortened to Perum Perhutani). The Forest Corporation is founded by Forestry Department of the Republic of Indonesia based on
the Forest Act of 1999 (Undang-undang No. 41 Tahun 1999 tentang Kehutanan) and Government Regulation of 1999 (Peraturan Pemerintah No. 53 Tahun 1999) with the purpose of controlling and managing State forest resources, and the forest lands in particular in Java. It is, therefore, authority of the Forestry Department for controlling and managing State forest region of Java, particularly protection forest and production forest areas has been decentralized to Perum Perhutani as State-owned Forest Corporation. The working territory of Perum Perhutani divided into the three forestry region namely Perum Perhutani Unit I of Central Java, Unit II of East Java, and Unit III of West Java.

This became much more than an ideology configuration of the State. In the forestry perspective, laws and regulation allocate forest control, access and utilizes, establish the mechanisms of forest management, and articulate State norms and values pertaining to forest lands and resources (Barber, 1989). This is the so called the ideology of State authority and legitimacy in controlling and managing forest resources (Peluso, 1992). Consequently, on the one hand, the Perum Perhutani as State-owned Forestry Corporation structures its relationship with the forest resources in accordance with the mandates of forestry laws and regulation. And on the other hand, the forest villagers structure it in accordance with their subsistence needs. In doing so, however, their perceptions and actions are largely expressed in the form of reaction, evasion, accommodation or opposition to the structure and mandates of the State forestry law and policy. In other words, their motives in using the forest resources and mainly forest lands in particular derive from a desire to maintain and control their means of social and cultural production.

The resulting patterns of interaction among villagers, forest and the State are made up of formal and informal forest peasant and labor strategies for extracting subsistence from the forest that was once for the most part of common property resources (Sing, 1986). The ideology of forest control has influenced the ways villagers regard and respond to State foresters and forest guards. In this sense, forest villager’s responses have created contradictions for State forest guards in the field who must control dependent-forest people in their daily livelihood. In this context, the State control of access to production forests in particular has basically three components i.e. (a) control of forest lands, (b) control of species, and (c) control of forests peasant and labor (Peluso, 1992).
The control of forest lands by the forest management agency represents the foundation of agency legitimacy. The forest agency has no power or institutional function without forest lands. While it is guided by the ideology of the State, the agency retains rights to determine land use in generating forest production. The control of trees on forest land is also linked to the process of agency legitimate. Forestry was traditionally conceived for the purpose of forest production. Trees cultivated on the State forest lands in producing timber, resin, or other non-timber products represent Government investments. The profits from their exploitation provide revenues to the State, pay salaries of the forest agency's employees, provide employment, and legitimate the role of the forestry agency. Control of the forest peasant and labor is urgent to ensure the profitable exploitation of the trees and tree products on forest lands. Forest settlements existed the establishment of State forest services. Rural people are largely forest peasants and labors that should be controlled by the forest management agency on forest region. The forest agency interacts with and views forest villagers as low-paid labor for nursery and planting, logging, resin tapping, and other forest activities in maintaining and improving forestry production.

Within Java's forestry policy, Perum Perhutani is the only State forest management agency which is mandated to protect forest land and trees and other forest resources, as well as to secure forest peasant and labor in order to implement the three of its roles in forestry activities namely (a) the Government Landlord, (b) Forestry Corporation, and (c) Forest Conservation Institution. Consequently, Perum Perhutani is officially charged to control, defend and guard the State right's to forest resources by enforcing the security approach and operations as part of the police forest strategy in securing State control over forest areas and resources. The basic mission of security in controlling access to forest areas and their resources is clearly reaffirmed on the Government Regulation of 1985 (Peraturan Pemerintah No. 28 Tahun 1985 concerning Forest Protection). That is why, the Government Regulation of 1985, however, could be understood as an ideological and legal instrument for restricting access to the forest resources, and legitimizing increased State control over border communities in forest areas. It is a control law, setting up an administrative and legal structure of Government control over community-forest relations, backed up by stiff criminal sanction and police authority (Barber, 1989).

As a result, State forest guards are concerned with the widespread encroachment of land hungry people who seek forest lands to grow subsistence and
cash crops (Poffenberger, 1990). From the State foresters point of view, the forest villagers tend to be stigmatized as squatting on the State's forest lands, stealing the State's trees, sabotaging the State's reforestation and harvest, or labor policies, or breaking the State's forestry law. In sum, all unauthorized forest users should be labeled timber thieves, squatters, or poachers in the eyes of the State foresters and forest guards. These labels are the ideological creations of such forestry laws and regulations in the culture of State authority and legitimacy in controlling and managing forest resources and regions (Peluso, 1992).

Conflict Over State Forest Lands: Historical Perspective and Conflict Resolution

The Dampit District Forest Region (Bagian Kesatuan Pemangkuan Hutan/BKPH Dampit) was incorporated into the territory of Malang Forest Region (Kesatuan Pemangkuan Hutan/KPH Malang), Perum Perhutani Unit II of East Java. There is a total of 117,55 hectares of the forest area are officially under the control and management of forest region of Malang. Some 3158 hectares of the forest area was squatted and occupied by forest villagers, and most of the squatted-forest lands appeared in the Dampit District Forest Region. It was recorded that a total of 2711 hectares has been occupied by the forest villagers for settlements and squatted to grow subsistence and cash crops mainly coffee and clove.

The borders of Java's forest areas have not changed greatly since the Dutch colonial times. Indeed, forestry maps that used by the Perum Perhutani in many areas are the old Dutch maps. In fact, the State’s forest areas are tightly ringed by villages, agricultural lands of the villagers and the plantations. What has been changed in the present time is the size and spatial distribution of the forest villagers, as well as the increasingly need of lands for subsistence. Under such conditions the forest villagers tend to access forest resources, and forest lands in particular, to survive. Hence, the villagers of Sanankerto, Tamansatrian, Sumbertangkil, Kepatihan, Purwodadi, Pujiharjo, Tamansari, Sidorenggo, Sonowangi, Purwoharjo, Wirotaman, and Mulyosari encroached upon the relatively unclear State forest borderline to expand their settlements and agricultural lands to grow subsistence and cash crops.

In conformity with the fieldwork carried out in the forest region, it could be observed that the historical background of forestry control and management policies was the main source of tensions between Perum Perhutani and the forest villagers. Historically, there used to a number of Private-owned Dutch Plantations which occupied
the region mainly to grow commercial cash crops such like rubber, tea, and coffee plantations. To mention a few the big plantations were as follows: (1) NV. Cultuur-Maatschappij Soepitoerang Estates; (2) NV. Cultuur-Maatschappij Petoengombo Estates; (3) NV. Cultuur-Maatschappij Soemberagoeng Estates; (4) NV. Cultuur-Maatschappij Wonokojo B. Ampelgading Estates; (5) NV. Cultuur-Maatschappij Kaliglidik Estates; (6) NV. Cultuur-Matschappij Moeljoredjo Estates; (7) NV. Cultuur-Maatschappaj Kalibakar Estates. Those plantations had ever been operated in the early 20th century (Soekiran SP, 1984). As a consequence of the Indonesia's independence of 1945, since in the period of 1961 Indonesian Government converted the mentioned plantations into State-owned Plantation of Kalibakar under the management of PT. Perkebunan XXIII Kalibakar (the State-owned Corporation of Kalibakar Plantation). For now, it was the so called PT. Perkebunan Nusantara XII (Persero). Besides, it could also be observed a Private-owned Plantation of Margosuko which primary operated to grow cash crops such as coffee, chocolate, and rubber.

Some 94 hectares of the Andeman forest area has been occupied as settlement by the villager of Sanankerto since 1940’s. There was a total of 130 households settle in the area. The villagers build permanent or semi-permanent houses and grow subsistence or cash crops on the forest lands for their livelihood. Historically, the area used to be Dutch coffee plantation which was left and neglected since 1918. In accordance with Supletor Grensproject Proces-Verbaal No. 11/1928 which was signed by R. Soedono (Wedono Turen), R. Ardjodinoto (Wedono Bululawang), P.K. Heringa (Bosch Apperhoutvester) and A. Wempe (Controleur van Malang), the area has actually been taken-over and reforested by Dutch colonial government.

The villagers of Tamansatrian and Wonoagung squatted some 461 hectares of the forest area to grow subsistence and coffee and clove cash crops. Historically, based on the Staatblad 1905 No. 41, in relation to the Besluit van den Directeur van Economische Zaken No. 4675/BW/Dez of 1929, the forest area was stated as Reserveeren Strooken Bosch, conservation forest for protecting water resources. But, in 1933, in accordance with the Supletoir Proces-Verbaal van Grensregeling in stand to van dehouden Boschen op het Tengger-Semerowe gebergts, the area was converted to coffee and tea plantations under the control of Private-owned Dutch Corporation namely NV. Cultuur-Maatschappij Soember Agoeng. Areas of the plantations included Oetan Bloeboek area (Verpondings No. 843) and Karang Pandan area (Verpondings No. 1288). Finally, in the 1940’s, before the Japanese invasion to Java, the area was left and
ignored by the mentioned Dutch Plantation Corporation.

The villagers of Sumbertangkil, Kepatihan, Purwodadi and Pujiharjo occupied a total 1832 hectares of the State forest land for settlements and subsistence or cash crops agriculture. Historically, the villages area used to be coffee, tea and rubber plantations namely Kalining plantation (Verpondings No. 828), Lebak Lor plantation (Verpondings No. 890), Sumbermanggis Kidul plantation (Verpondings No. 826), Sonosekar Kidul plantation (Verpondings No. 1309), and Lebaksari plantation (Verpondings No. 883) under the control and management of NV. Cultuur-Maatschappij Kalibakar Estates, that was a Private-owned Dutch Corporation. In 1923, the bulk of plantations area was officially handed-over to and reforested by Dutch colonial government.

In 1940's, during the time of Dutch colonial government and Japanese occupation, the villagers of Sanankerto, Tamansatrian, Purwodadi, Sumbertangkil, Kepatihan, Purworejo, Pujiharjo, and others occupied and converted the forest area for the purpose of building settlements and cash crops agriculture for survive. In the same time the occupied forest lands employed primarily to provide people army base-camps and support logistics for the physical revolution in the Southeast front of Malang which was formally called Sub-Territorial Commando Semeru Selatan (STC. 8). The people army which was called Wanara Army under the command of Mayor Abdoel Kahar struggled against the Japanese invasion army by enforcing guerrilla warfare strategy within and around the forest region. Consequently, the bulk of forest lands was converted into base-camps of people army commando in order to defend and fight against Japanese army in the region during the physical revolution in protecting the Indonesian independence.

After the Indonesia's independence on August 17, 1945 those former base-camps and agriculture lands were squatted and occupied permanently by the villagers. In 1960's, before the September 30 national tragedy (Gerakan 30 September/G-30-S) generated by the Indonesian Communist Party (Partai Komunis Indonesia/PKI), those forest lands were increasingly occupied for political purposes by members of the communist party under the sponsorship of Indonesian Peasant Movement (Gerakan Tani Indonesia/GTI) and Indonesian Labor Movement (Buruh Tani Indonesia/BTI) political organizations in the region. Finally, since 1968 based on the Decision Letter Governor of East Java No. Pem. 315/G dated July 5th. 1968, the occupied forest lands has been legitimated as permanent villages of Sumbertangkil, Tirtomarto, Telogosari,
Tirtoyudo, Sukorejo, Tamankuncaran, Argoyuwono, Jogomulyo, Mulyosari, and Wirotaman in the region of Ampelgading District, and the villages of Bumirejo, Baturetno, Srimulyo, and Sukodono in the territory of Dampit District.

In 1970, based on the Decision Letter No. I/Agr/Peng/ob/1969 dated September 24th. 1969 issued by the Governor of East Java Province, the villagers who occupied the forest lands for years have been charged for regional lands tax namely *luran Pembangunan Daerah (P.II)*, the tax of which recently known as Tax of Land and Building (*Pajak Bumi dan Bangunan/PBB*). The PBB must be paid to the Government once a year as part of legal obligation of the villagers who occupied the forest lands. That is why in the present day the villagers perceived that the tax lands receipt was a land ownership certificate and they were legally occupied lands. Moreover, when the National Agrarian Project (PRONA) took place in the 1983’s, a total 335 hectares of the squatted-lands in Sumbertangkil village, have officially been certificated as private-owned lands in conformity with the Decision Letter of Agrarian Directorate No. D.A/C.2.II/04/PR/Prona/1983 dated September 26th. 1983. Finally, the forest areas of Purwodadi has been officially defined as permanent village based on the Decision Letter of Governor East Java Province No. 193/1981 dated September 26th. 1981.

The tensions between Perum Perhutani and the forest villagers over forest lands manifestly appeared in the period of 1980’s. Soon after the village of Purwodadi was officially appointed as a permanent village in 1981, the State-owned Forest Corporation (Perum Perhutani) attempted to redefine maps and the borderlines of State forest in the region. As a result, most of forest lands which were squatted for subsistence and cash crops agriculture, and were occupied for settlements for years must be redelivered to and reforested by Perum Perhutani. What then happened was the forest villagers absolutely protested the Perum Perhutani’s forestry policy and provide resistant strategy to defend their owned lands rights. When the State foresters and guards observed the field and installed cement-borderline marks (*pal batas*) in the agriculture lands, the villagers who have occupied them for years resisted and forced to stop staking the borderline marks. As a consequence, such forestry policy brought about serious conflicts between State foresters and the forest villagers in the region. The villagers resistances was reflected through individual or collective actions and confrontations to defend their lands right that re-controlled by Perum Perhutani. It was observed that many of the installed cement-border marks in the field had been broken and stolen as to make the State forest borderlines disappear and unclearly.
In order to diminish the tensions that emerged between State foresters and the villagers, in conformity with the Joint-Decisional Letters Minister of Forestry No. 390/Kpts-VII/1994 and the State Minister of Agraria No. 13/1994, in relation to an official letter issued by the Director of Perum Perhutani No. 179/044.2/KUM/DIR, the Bupati (Regent) of Malang established a special local Government Team for Forestry Extension under the Decisional Letter No. 233/1994. Representatives from the Government of Malang Regency, Perum Perhutani Malang Forest Region, National Agrarian Board of Malang, Police Resort of Malang, and the Military District Commando of Malang, were involved to convey official information and extension to the villagers, as well as to decrease conflict and tensions between the State foresters and the forest villagers in the region.

In the meantime, tensions and conflicts over forest lands have also invited the involvement of Indonesian Veteran Legion of Malang (LVRI). It is because most of the forest villagers are members of the Veteran Legion who used to be people armies of Sub-Territorial Command of Semeru Selatan during the physical revolution period of time. HR. Soewignjo who was in charged as Head of the Malang Veteran Legion sent an official letter dated December 5th, 1994 especially addressed to the Regent (Bupati) of Malang with the purpose of providing clearance and seeking an understanding of the Government for prudent solution in managing such kind of conflict. He attempted to convey and provide detail information and official evidence concerning historical background of forest villages development in the region, legal status of agricultural lands and the villagers. Hence, he encouraged the Government of Malang Regency to let the forest villagers employ and occupy the lands to secure their social and economic basic needs, as well as forest resources stability in the region.

During the time of regularly forestry extensions carried out by the local Government team of Malang, the State foresters and guards continued to conduct activities of re-measurement and redefine State forest’s borderlines based on the old Dutch forestry maps. It was recorded that a total of over 1000 cement-border marks (palembang) has to be installed and staked in the region. Nevertheless, it was reported that the foresters found a fact of technically obstacles and handicaps due to strong resistances and serious confrontations conducted by the villagers spread out in the field. The forest villagers totally defended and protected their rights over the lands which have been occupied for years. Those are the only lands they had and employed for subsistence agriculture and cash crops coffee and clove plantations for survive.
In the period time of fieldwork the Perum Perhutani claimed that the work of re-measuring and redefining borderlines of State forest have nearly been finished, and the tensions have been diminished, as well as the conflicts have generally been settled. It was observed that the fact of villagers resistance and confrontation remain emerged spread out in the region. Nevertheless, both the Police Resort and the Military Resort of Dampit have been involved to enforce such forestry policy, while individual and collectives clandestine actions conducted by the villagers namely burning the forest, illegally cutting the trees, breaking and moving the cement-borderlines marks, or threatening the State foresters have remain been demonstrated by the villagers in order to protect and defend their occupied lands in the forest region of Dampit District.

CONCLUSION AND RECOMMENDATION

Conclusion

The study shows that conflicts over forest lands between the State foresters and the dependent-forest villagers is mainly caused by the differential access and perception to forest resources, the increasing need of the villagers over forest resources, and forest lands in particular, as well as the lack of coordination between the State-owned Forest Corporation (Perum Perhutani) and the regional Government in controlling and managing forest resources in the region.

Control over access to forest lands became much more than an ideology and legal and policy configuration of the State authority and legitimacy in managing natural resources. Such a State's ideology in controlling forest resources constitutes a certain forest management regime that is so called centralized resources management. It is, therefore, the State forest resources, including forest lands, forest trees and forest labor, must be monopolized and strictly controlled by the State namely State foresters and forest guards, in order to fulfill its three roles simultaneous i.e. Government Landlord, Forest Corporation, and the Forest Conservation Institution.

Perum Perhutani’s basic ideological, structural and policy attributes are largely the heritage of the Dutch colonial patterns and policies of forestry management that developed over the course of the 19th. and early 20th. centuries. Hence, forest resources within the State’s territory tend to be perceived the only as economical commodity especially for generating State revenue. As such, security approach should be the main strategy enforced to the protect and secure forest resources in the territory. Meanwhile, public access over forest resource must be ignored and officially limited by enforcing
State’s policy and legislations. In doing so, State’s forest control and management of Java which mandated to Perum Perhutani as State-owned Forest Corporation has been implemented and operated by enforcing the quasi-military silviculture paradigm, the paradigm of which strongly tends to place the State foresters and the dependent-forest people in sharp opposition.

Recommendation

Understanding pattern of conflicts and in this context conflict over forest resources, and forest lands in particular, between State-owned Forest Corporation (Perum Perhutani) and the forest villagers requires some information and knowledge concerning historical background of forestry control and management in the region. Hence, forest-based conflicts must be studied and understood in historically specific context namely the historical background of forestry control and management during both the Dutch colonial Government and Japanese army invasion in the country. In this sense, lessons that can be learned from the case of Dampit District Forest Region in the territory of Malang Regency, East Java provides an overview of the specific historical illustration and configuration on forest lands control and management that necessarily should be taken into account in obtaining prudently dispute settlement strategy over forest resources of Java and East Java in particular.

Based on primary data collected through in-depth interview and non-participant observation techniques during the fieldwork, it would be not wise and humanized to enforce the dependent-forest people and forest villagers drive away from the State forest region. It is because the Government will pay a high economic and social cost in case the dependent-forest people must be dismissed rudely from their villages. In fact, in one hand, they have occupied the forest lands for years and generations within the legally permanent villages; and on the other hand, the subsistence agriculture and coffee and clove cash crop plantations they practice for many years are naturally include environmental conservation function and practice in the region.

Hence, it is strongly recommended that the Government should substitute the centralized and monopolized forest control and management paradigm into collaborative management paradigm that is community-based forest control and management paradigm in the country of Indonesia in order to provide a balancing public control and access as well as utilize forest resources for greatest welfare of the people, and forest-dependent people in particular, as it is mandated by the 1945 Constitution.
REFERENCES


Bratamihardja, Mulyadi (1990), "Social Forestry Development (Java)", in Social Forestry in Indonesia, Workshop Report, Food and Agriculture Organization of The United Nations, Bangkok, pp. 77-82.


Peluso, Nancy Lee (1990), "A History of State Forest Management in Java", in Mark Poffenberger (Ed), Keepers of the Forest, Land Management Alternatives in Southeast Asia, Ateneo de Manila University Press, pp. 27-55.


Poffenberger, Mark (Ed) (1990), Keepers of the Forest, Land Management Alternatives in Southeast Asia, Ateneo de Manila University Press.


