

The Issue of Nias Land Ownership in Protected Forest Areas in South Tapanuli, Indonesia

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Abstract: History proves that the manipulation of religion, ethnicity, race, ethnicity for socio-economic and political interests is very dangerous for the life of a nation state. Protected forest area becomes an event that is never expected by many people, because actually when viewed from their residential areas which are also far apart and even in daily activities so far the economy runs without any obstacles. The conflict occurred because the residents of Tolang Jae Village did not fulfill the demands of the Nias tribe. Conflicts also occur because of excessive emotions due to beatings/mistreatment of Tolang Jae Village residents carried out by the Nias tribe in Adian Goti Village.

1 INTRODUCTION

Citizens' clashes occurred on December 23th, 2013 in Tolang Jae Tapanuli Village South between Nias residents and Tolang Jae Village residents, Sayur Matinggi District, became an event that was never expected by many people, because their residential areas that are also far apart and even in daily activities so far in the economy running without any obstacles. Besides, the South Tapanuli society, is a very heterogeneous society from many aspects; ethnicity, race, and even beliefs with relatively high mobility of life since centuries ago. But apparently live together in this area became a potential conflict that was unavoidable at that time.

Ethnic riots stem from various problems and lead to socio-economic inequality and are cultural protests that provide strong evidence that social order in plural life has been violated and destroyed. Pelly (1999: 34). In fact, in many cases, conflict and ethnic violence, the religion that breaks out in society is more motivated by social, economic, and political conditions than differences in belief. Even religion, ethnicity, race, ethnicity are often used as factors of legitimacy to move emotions and primordial solidarity.

History proves, manipulation of religion, ethnicity, and race for social, economic and political interests is very dangerous to the life of a nation state which are often used as a trigger for violence.

Munandar (2003) explained that social conflicts often arise lately are indicators of the ongoing process of social transformation, in the form of representations of conflicting social values and religious values as well as a shift in values and control of strategic resources in the form of power or politics and the economy. Meanwhile, Klinken (2007), summarizing five cases of communal violence in Indonesia; Sanggau Ledo and Sambas in West Kalimantan, Sampit in Central Kalimantan, Poso in Southeast Sulawesi, Ambon in Maluku and Halmahera in Southeast Maluku. Klinken in seeing violence between ethnicity and religion inherently rejects the cultural approach. For Klinken there are several variants of the cultural view of communal violence which are all irrelevant, because (1) see the long-term tendency of violence as a root in social configurations in Indonesia, (2) ethnic prejudice among people considered not modern, (3) political intolerance, (4) klen loyalty and (5) primordialist stereotyping.

2 REVIEW OF LITERATURE

2.1 Conflict

Ethnic conflict is a conflict that is related to urgent problems regarding politics, economy, social, culture, and territorial between two or more ethnic

communities. (Brown, 1996). Ethnic conflicts are often nuanced in violence, but they may not. Ethnic conflicts in Bosnia and Angola have an enormous dimension of violence. Meanwhile, Quebec's demand for greater autonomy from the Canadian government has almost no dimension of violence at all. Many local conflicts in a community have no ethnic basis at all. So, these conflicts cannot be called ethnic conflicts. The battle between the Cambodian government and the Khmer Rouge army can never be called an ethnic conflict because the nature of the conflict is an ideological problem, not an ethnic problem.

According to Brown (1996), the word 'ethnic conflict' is often used flexibly. In fact, in some of its uses, this word is actually used to describe a type of conflict that has no ethnic basis at all. An example is the conflict in Somalia. Many parties categorize conflicts that occur in Somalia as ethnic conflicts. In fact, Somalia is the most homogeneous country in terms of ethnicity in Africa. The conflict in Somalia occurred not because of conflicts between ethnic groups, but because of conflicts between one local authority and another local authority, both of whom came from the same ethnic group.

Here clearly a fairly specific definition is needed of what is meant by ethnic conflict. According to Smith (2006), ethnic community is a concept used to describe a group of people who have a common ancestor, the same social memory and some cultural elements, while Rozi (2003) says that social conflict occurs because of the poor condition of the structure of social structures causing people get angry easily with other people. Suseno (2003) says that there are at least four factors supporting social conflict in Indonesia.

First, cultural conflict, related to primordial conflict based on religion, ethnicity, and region. Second, related to the accumulation of feelings of envy and envy. People are easily provoked by others and they tend to behave exclusively on the basis of religion and (ethnic) groups. Third, people's behavior is influenced by a culture of violence in the community. Fourth, the New Order political system which positions military power which tends to solve problems with an undemocratic approach.

Geertz (1996), sees ethnicity as a matter of primordial sentiment, thus ethnicity is formed by various primordial sentiments such as kinship, religion and language. Although Geertz himself did not pursue studies of inter-ethnic conflict in depth, but from his position to see that ethnicity is built on primordial sentiment, then actually the seeds of inter-ethnic conflict can occur because of the

encouragement of the formation of ethnic identity due to the development of parochialism, communalism and racism. The methodological implication of Geertz's theoretical position, known as symbolic interpretation, is 'unit analysis' which is community in its effort to see symbols that are mutually agreed upon as a 'culture' by the people.

There are several characteristics of conflict escalation, namely:

Disputes:

1. Tension, jealousy in the community
2. Increasing scarcity of general property resources
3. The daily conversation is about complaints
4. Conflict management mechanisms succeeded in suppressing disputes.

Non-violent confrontation:

1. appears 'latent' conflict
2. Dividing lines develop, ie "we versus them"
3. Political leaders have sprung up
4. A daily conversation about "partiality"
5. The economic and / or political power of individuals is used to encourage personal demands
6. The parties to the conflict no longer use the old/tradition approach and turn to 'external' institutional or legal mechanisms.

Escalation to violence:

1. A part of the population mobilized in the name of "cause"
2. Tradition, institutional and legal approaches have proven to fail to control disputes
3. Open expressions of hostility and anger
4. Everyday conversation contains demands and threats
5. The negative language of the general population reflects its political leaders
6. Parties in conflict raise their demands and broaden their goals
7. Warring parties attract allies from outside the direct population.

Open violence:

1. Violence begins with acts of sporadic aggression and isolated against individuals and / or sabotage of property.
2. Attacks become coordinated
3. Acts of violence are always associated with "the other party"
4. A sense of deadlock develops

2.2 Relations between the State and Society in Conflict Resolution

Migdal (1988) in the theory of state and society relations states that the ability of a country to

achieve change in society requires the role of their leaders to strive to make state planning, public policy and action, including the ability to enter into involving the community, regulating social relations, and managing existing resources properly. Changes in the community in this regard can be related to conflict resolution efforts.

For Migdal (1988), the ability of the state to make changes in society requires the role of leaders to carry out state planning, public policies (policies), and actions (actions). That ability includes the capacity to enter into the community (to-penetrate), make rules of social relations (regulate social relationship), collect resources (extract resources) and use resources in accordance with predetermined ways (appropriate use resources in the determined ways). A strong country is characterized by a high ability to complement state planning, public policy and action, while a weak country has a low ability in the capacity to enter into society, make social rules, gather resources and use resources in a way that has been determined.

Some indicators of state and community relations (modeling of state society relations) are:

1. Compliance. Use of compliance by living sanctions to control society.
2. Participation. Participation is related to volunteerism and action in carrying out state life.
3. Legitimizing (validity). In connection with the acceptance of society (acceptance) even approval (approbation) with the rules of the game made by the state, social control as a true and good.

2.3 Theories about Ethnic Groups

According to Koentjaraningrat (1985), a group is an individual unit that is bound, *inter alia*: (a) a system of norms that regulates the behavior of group citizens; (b) a sense of group personality based on all citizens; (c) repeated gathering of group members' activities; (d) a system of rights and obligations governing interaction between group members; (e) a leader or administrator who organizes group activities; (f) a system of rights and obligations for individuals towards certain productive assets, consumptive assets or heirlooms. One such group is the kinship (clan). The big clan (clan group) is a kinship group consisting of all the descendants of an ancestor who are counted through a lineage of the same type is the descendants of male and female citizens.

Meanwhile, ethnic groups (ethnic groups) according to Koentjaraningrat (1999) are: groups of people who are bound by awareness and identity of

'cultural entities' while consciousness and identity are (not always) strengthened by language. The cultural entity in question is sourced from the relevant cultural citizens. This means, the culture of Toba is different from the culture of Simalungun or Karo even with Malay or Minangkabau, each of which has a special personality and identity (particular system) in accordance with their respective cultural entities.

Furthermore, Barth (1988) asserts that ethnic groups can be known as cultural units and as structures. As a cultural unit, ethnic groups can be observed from: i) the continuity of the cultural unit and ii) the existence of factors that influence the formation of that cultural unit. And vice versa, as an order, ethnic groups show the existence of a group characteristic that is astrictive and can be estimated in terms of the background of its origin. The group will be formed if someone uses his ethnic identity in categorizing himself with others in the purpose of interaction.

Nevertheless, social interaction and contact will not necessarily eliminate local identity. Someone who makes contact, because in interacting and social contact requires the same sign that can be accepted by both parties, namely the formation of certain social systems. Such interactions will not result in mixing with cultural change. The similarity of the sign is needed because of the mutual dependence (mutualism) between the two parties.

According to Barth (1988) stated that in general, ethnic groups are known as a population that; (1) biologically capable of breeding and surviving; (2) have the same cultural values and be aware of a sense of togetherness in a cultural form; (3) forming their own communication and interaction networks; (4) determine the characteristics of their own groups that are accepted by other groups and can be distinguished from other population groups. Furthermore, Barth sees that ethnicity is formed through social interaction, so this is where the concept of ethnic boundary is born. Conflict between ethnic groups can occur because of differences in the ownership of means of production that affect relations between ethnic groups.

Klinken (2001), by borrowing the theory of Doug McAdam's work suggests that Dynamics of Contention, where identity can be distinguished in two types, namely: (1) identity of order and (2) separate identity. The identity of the order shows the characteristics of various kinds of social relations that are built up while the separate identities are the characteristics of special and narrow relationships.

When these two identities are involved in a battle, they both tend to show different 'repertoires'.

Furthermore, Klinken said that battles involving embedded identities tended to prioritize lower-level actors with repertoires that were: 1) particularistic - especially related to specific groups, problems or places, 2) small scale - involving a small number of people, 3) directly not too mediated by intermediaries who have special rights. Such battles look spontaneous. Conversely, battles involving separate identities tend to involve elites and present activities that make demands, meaning that: 1) Modular - not tied to a particular place and so on, 2) large scale - thus requires broad coordination, and 3) brokered - involving entrepreneurs, politics and communication networks.

3 METHOD

To explain the conflict between ethnic groups in Tolang Jae Village, South Tapanuli Regency in 2013, researchers used a descriptive qualitative research approach to explain the focus of the problem from informant sources, data and literature.

Qualitative research can explain the naturalistic perspective and interpretive perspective of human experience (Denzin, 1994). Qualitative research is research that aims to understand phenomena about what is experienced by research subjects such as behavior, perception, motivation, actions, etc. holistically and by means of descriptions in the form of words and language, in a special natural context and with utilizing various natural methods.

4 DISCUSSION

Since 1982 Nias people have settled in Tolang Jae Village and received permission from the local Village Head. They borrowed land to be used as a means of production to meet their daily needs, but over time the number of Nias tribes in Tolang Jae Village was increasing day by day, causing the need for land to increase as well.

The history of the Nias tribe who settled in Adian Goti (Dolok) in Tolang Jae Village has been in the 1980s and has owned land that was bought or compensated by local residents.

This land is the main source of life and livelihood from gardening/farming. The Nias people have become citizens who have KTP, KK and they obey the law and pay taxes and interact socially and

culturally with local customs. Because so far it has been running normally, harmonious and harmonious with other residents.

The Tolang Jae Village conflict occurs because the utilization of natural resources occurs not only vertically between the local population and the Nias tribe, with the government and officials but also horizontally between the Nias tribe and the residents of the surrounding villages who have claims and links of interest to the forest area in Adian Goti Village.

According to an interview with Yasmin Gea, in February 2018 said that:

"The events of 2013 between Nias people and people in Tolang Jae. In my opinion, it is caused by social jealousy, but the issue is directed towards SARA issues, even though the villagers there want to control the land of our people Nias. The previous stage can be seen by the village community's deliberation efforts when dividing Nias land, for example, if the land is 10 hectares, then 7 hectares are equal to villagers, 3 hectares are Nias people. I have seen about 400 hectares of land on the mountains managed by our people in Nias."

From a social stand point, the conflict that occurred between Tolang Jae Village residents and Adian Goti Village resulted in several actions aimed at cornering the Adian Goti community by limiting and severing social relations, removing the residents of Adian Goti Hamlet as part of the administration of Tolang Jae Village and all rights and obligations they were removed by the village administration as residents residing in the Tolang Jae Village, and the Tolang Jae Village community avoided interaction or contact with the Adian Goti society.

From an economic perspective, the absence of social interaction between the residents of Adian Goti Hamlet with the residents of Tolang Jae Village has severed economic relations in the form of trade in agricultural products. Trading activities and the buying and selling process require an interaction process. The view presented above, is contrary to the conditions found in the traditional market in Tolang Jae Village, which was opened. The changes that have taken place here, the people of Adian Goti sub-village are no longer seen trading in the market.

A number of cases of conflicts over land in the region that appeared confronting the Nias tribe with residents of surrounding villages began to raise their awareness about the status and strength of their rights to manage land in the area.

Based on an interview with Ramadhan Siregar in April 2018, he mentioned:

"They settled and opened land for plantations to meet their daily needs. Regarding the expansion of

the area, we do not know clearly the boundaries of land use given by the government for the Sayur Matinggi Subdistrict, South Tapanuli Regency. Obviously, the residents feel disturbed by the people who run and make policies. The land that we mean is customary rights and village rights; it is natural that they use it for life. The presence of the Nias tribe people from various regions, they settled and opened the plantation land that they bought from the forest owner community. The legality of the land owned by the cultivators is evidenced by a statement of land expenditure. Form of validity of landowners as cultivators. The Village Government is only limited to knowing the act on the sale and purchase of land meant by proof of a certificate of land management".

They are trying to get any documents that can strengthen their claims on the land being managed and on their residence status in the nearby villages. The letter of sale and purchase or compensation for land is a piece of document they hold as evidence of their rights, even though the documents are very weak in terms of formal law. Identity Card (KTP) as domicile and population identity is another document that they try to be able to have, at least by a family head.

Nias tribes also often come shopping on Wednesday and Saturday to the Tolang market and are also said to have turned on trading activities in the market. The economy of the Nias tribe is increasingly increasing. This can be seen from their increasingly developing lives, they are able to send their children to school, able to buy two-wheeled vehicles. While the indigenous people of economic life are increasingly declining over time. Such conditions often lead to jealousy between indigenous people and migrants.

Local community members or indigenous residents in the three villages around the Tolang Jae area differ in their position and interests when dealing with the fact that the Nias tribe has cleared forests in the area more than two decades ago. However, they have the same position and interests when faced with the fact that the status of the forest area in Tolang Jae is a state forest that functions as a protection and conservation.

The local people and Nias tribe alike must deal with institutions and officials who have the authority to administer state forests, which in this case are represented by the Government of South Tapanuli Regency. Residents do not know clearly that the two government institutions have different authority limits in managing state forests in the Tolang Jae area, namely protected forest areas which are the authority of the South Tapanuli Regency

Government through the local Forest Service. In the understanding of citizens, it is quite simple that state forests are managed by the government, and substantively there is nothing wrong with this understanding.

The unclear rules regarding the Nias tribe in the protected forest area and Nias tribal population data collection are a serious problem. Based on the results of an interview with Ali Yamin Lubis in February 2018 he said, in fact the events of 2013 were because the village head had initially given KTPs and KKs to Nias people, so that Nias people continued to grow without knowing how many of them now. When they want to be expelled, surely they make resistance. In addition, they have many in number; they also have families who defend it.

This kind of incident is deliberately blown away like the Church was set on fire. Though the proof is not, polluting the river with pig manure. If we look at the distance of the Aek Siondop river, it actually goes to the Nias settlement, but that is very far away. This is we do not know what behind this motive. When dealing with law, this issue is raised. The village head was wrong why they were given a KTP and KK. Even though they were just gardeners, now we can't do anything else. Why do we let outsiders come in and out without permission, we cannot blame everything on Nias people.

There are a number of interesting things to consider about the relationship between local residents and the Nias tribe in Tolang Jae Village. Most of the economic land and employment that should be owned by local residents. Finally captured by the Nias tribe. This fact ultimately creates a contradictory social climate and thickens the primordial sensitivity of local communities. The impact of the Nias tribe is very much felt in rural areas. The Nias tribe tends to settle in mountain areas. Because there are real economic opportunities. Their success in managing the land is a problem for local residents in Tolang Jae Village. While the area is an area of *lindung* forest and *ulayat* land and the agreement used to be a reason for the villagers to question the position of the Nias tribe.

5 CONCLUSION

The Nias tribe who live in Adian Goti (dolak) in Tolang Jae Village have been in the 1980s and have owned land that was bought or compensated by local residents, known to the Village Head, even though most of it has been dictated. This land is the main source of life and livelihood from gardening /

farming. The Nias tribe have become citizens who have Id Card (KTP), Family Card (KK) and they obey the law and pay taxes and interact socially and culturally (local customs) which have been running normally, harmoniously and harmoniously with other residents. The conflict occurred because the residents of Tolang Jae Village did not fulfill the demands of the Nias tribe. Conflicts also occur because of excessive emotions due to beatings / mistreatment of Tolang Jae Village residents carried out by the Nias tribe in Adian Goti Village.

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