

## Villages in Forest Areas in Java: Agrarian Reform Policy-Social Forestry in Banyuwangi

**Syarli Syanurisma**

Kantor Wilayah ATR/BPN Provinsi Riau  
 syarlisyanurisma91@gmail.com

ARTICLE INFO	ABSTRACT
<p><b>Keywords:</b>                      Agrarian reform, social forestry, PPTKH, tenure of forest areas</p> <p><i>Received: March 5, 2022</i>  <i>Reviewed: March 13, 2022</i>  <i>Accepted: March 28, 2022</i></p> <p><b>How To Cite:</b>                      Syanurisma, S. (2022). Villages in Forest Areas in Java: Agrarian Reform Policy-Social Forestry in Banyuwangi, <i>Marcapada: Jurnal Kebijakan Pertanahan</i>, 1(2), 123–138. DOI: <a href="https://doi.org/10.31292/mj.v1i2.12">https://doi.org/10.31292/mj.v1i2.12</a></p>	<p>The overlapping claims on forest areas is due to the presence of interested parties in its management from private companies, local communities, local governments, and the State Forestry Public Company (Perhutani). This triggered tenurial conflicts in forest areas. Recognition of community rights in forest areas can be realized if proposed through the right path and process, by preparing data owned by the community. Therefore, it is necessary to identify the authorization, ownership, utilization, and use of community land in forest areas with the aim to understand the land tenure in forest areas. This article aims to examine the typology of land tenure conflicts in forest areas and identify the authorization, ownership, use, and utilization of community land in forest areas. The method of this study is qualitative with descriptive and historical analysis. Meanwhile, the data collection includes observations, interviews, and document studies. The results of this study indicated that there were 309 land plots claimed by the community in forest areas. The land plots have long been controlled, then became a settlement and agricultural land since 1941. As a result, forest areas that have become settlements are eligible to be released and then followed up with an agrarian reform policy. Meanwhile, for arable land, a social forestry scheme can be proposed.</p>

### A. Introduction

Tenurial in forest areas are social relations and institutions to regulate access and land and resource use. Many studies mention that the overlapping claims on forest areas is due to the presence of parties who are interested in managing it, whether it is from companies, local communities, local government (Pemda), the State Forestry Public Company, or the Ministry of Environment and Forestry (Diantoro, 2021; Susanti, 2021). This has become the trigger for the emergence of tenurial conflicts in forest areas. Several studies confirm that the most frequent conflicts are between village communities and the Environment and Forestry or the State Forestry Public Company, as indicated by Harun and Dwiprabowo. According to them, there are 15 stakeholders who have an interest and influence in the management of forest areas in KPH Model Banjar which can then be grouped into three groups, namely groups representing the government, the business world, and the community (Kristiadi Harun & Dwiprabowo, 2014)

Dassir (2008) outlined the types of conflicts between communities around the forest and its various problems in East Luwu Regency. In addition, Susilowati in her research mentioned about

tenurial conflicts and land disputes in forest areas managed by the State Forestry Public Company. Ambarwati et al., and Putri et al., describe the dynamics of tenurial conflicts in state forest areas at the Forest Area Consolidation Center (*Balai Pemantapan Kawasan Hutan-BPKH*) of Tanggung in Forest Management Unit (*Kesatuan Pengelolaan Hutan-KPH*) Semarang (Ambarwati et al., 2019; Julia et al., 2015; Susilowati, 1999). The conflicts that occurred illustrate the inequality of land tenure which is an agrarian conflict that has not been resolved since the Soekarno period until the Jokowi-Jusuf Kalla's (Jokowi-JK). Therefore, the current Agrarian Reform (RA) policy program is an effort to reduce inequality in land tenure through realigning authorization, ownership, and use of land for the realization of agrarian justice and ensuring the integrity between generations (Wiradi, 2009, Rachman & Setiawan, 2016; KSP, 2017; Shohibuddin, 2018).

The issue of community rights to land in areas designated as part of "Forest Areas" becomes a serious problem as a result of the Ministry of Environment and Forestry applying the principle of "*Domein Verklaring*" (Widowati, Luthfi, Guntur 2014, Sirait 2017). This policy caused many communities to come into conflict as a result of the application of *domain verklaring*, especially in Java, where the forest area was considered to be less than 30%. Ministry of Environment and Forestry's data shows that there are 25,863 villages in and around the forest area consisting of 9.2 million households (Winata, 2019). Forest areas that are physically not in the form of forest but have become settlements, plantations, agricultural land or other cultivated areas for the surrounding community should be able to be designated as RA objects or redistributed to the community.

East Java Province is the widest forest area in Java. According to statistical data from the Ministry of Environment and Forestry in 2018, the forest area in East Java Province was 1,361,146 ha. However, the forest areas in East Java also have their own problems and conflicts of forest tenurial areas. According to the Agrarian Renewal Consortium, East Java Province is the top ranking with a total of 59 cases, involving 9,421 ha outside forest areas and 18,521 ha inside forest areas (Kartika, 2018, 2021). This is in line with the results of the research of Aliansi Relawan untuk Penyelamatan Alam (AruPA) and the research of activists in Forest Restoration Coalition (*Koalisi Pemulihan Hutan-KPH*) in 2018. The study explained that Kedungasri Village, Tegaldlimo District, Banyuwangi Regency is one of the villages in Banyuwangi Regency that has been a settlement for a long time and cultivated land for the community. The village also has a Letter C book and has also been issued a Land and Building Tax (*Pajak Bumi dan Bangunan/PBB*). The Banyuwangi Regency Forest Area still has land tenure issues because there are still indications of settlements within the Forest Area. Banyuwangi Regency has the widest forest area in East Java Province indicated by settlements. Agrarian Reform Task Force (*Gugus Tugas Reforma Agraria/GTRA*) of East Java Province in 2019 identified the indication of its settlement area as 1,362,6805 ha or 0.77% of its Forest Area.

The facts show that some parts of the forests are no longer Forest Area, but settlements and community land. This can also be seen in Kedungasri Village which has the opportunity to carry out an inventory of PTKH (schema of Land Tenure Settlement Reconciliation in State Forests [*Penyelesaian Penguasaan Tanah dalam Kawasan Hutan*]/PPTKH) with a scheme of Changes in the Boundaries of Forest Areas which results in the recognition of community rights, either through land redistribution schemes or Social Forestry Schemes. Presidential Regulation Number 88 of 2017 concerning the Settlement of Land Tenure in Forest Areas provides opportunities for people who control land in Forest Area both for settlements and for agricultural land. However, the Presidential Regulation is considered ineffective in Java because the percentage of Forest Areas in that island is less than 30%. From that, this article will examine two aspects, namely how the typology of land tenure conflicts in

Banyuwangi Regency Forest Area and how the process of identifying authorization, ownership, use and utilization of community land in Banyuwangi Village Forest Area.

Studies related to land ownership in Forest Areas have been carried out, including the research by Salim, et al. (2018, 2021) which raised the issue of resolving land tenure in forest areas in South Sumatra and Riau, as well as the studies of Ekawati, Junarto, Khanifa, and Manik raising the same issue with the focus of study in Sumatra with a spatial approach (Ekawati et al., 2019; Junarto & Djurdjani, 2020; Manik et al., 2021; Khanifa et al., 2021). Meanwhile, Sirait's study (2017) focuses on land redistribution in Ciniti Forest Area (Garut), West Java. Redistribution was successfully carried out after a long process and fight between the local community, the regency government, the National Land Agency (BPN), Ministry of Environment and Forestry and State Forestry Public Company as the state forest manager. The Forest Areas were released after a court decision and then handed over for distribution to the local community. Dempo's study in South Sumatra is similar to Sirait, who saw how the redistribution of Forest Areas releases was not an easy issue and involved many stakeholders, which led to a slow redistribution to the community (Dempo et al., 2021; Salim & Utami, 2019).

Some of the studies focus on redistribution and efforts to settle land in Forest Areas either through PPTKH schemes or the release of Forest Areas outside Java. This study is the latest research because the release of Forest Areas in Java is much more complicated because the forest areas is considered low, so the studies carried out discussed more of "opportunities" to be removed from Forest Areas, such as the efforts of the author to research in Kedungasri Village, East Java. The author not only tries to identify the land that is controlled by the community but also proposes opportunities to be worked on in a participatory manner with the community and encourages the land settlement policy in the Forest Area in Java to be realized immediately.

## **B. Research Methods**

Through qualitative methods with descriptive and historical analysis (Creswell, 2016; Walliman, 2017), this article examines the typology of land tenure conflicts in Forest Areas communities and how land tenure procedure in Forest Area (Ambarwati et al., 2018a; Nilasari et al., 2017; Senoaji et al., 2020), especially the tenurial conflict in Kedungasri Village. This study was conducted in Kedungasri Village, Tegaldlimo District, Banyuwangi Regency, East Java Province. Kedungasri Village is one of the villages within the Forest Area of dozens of villages whose status to this day still a Forest Area.

Data collection was carried out by observation to find out the conditions in the field, among which there were 309 sectors based on conditions in the field and a map of the land owned by the village. Meanwhile, the interview was conducted with The Head of Patterning Center for Forest Area Consolidation for Region XI (Java-Madura) and the Head of State Forestry Public Company, KPH South Banyuwangi remotely. Moreover, the author also interviewed the Head of the Land Office, the Head of the Land Problem Management and Control Section, the Head of the Land reform and Land Consolidation Sub-Section of the Banyuwangi Regency Land Office, the Head of the Regional Forestry Service Branch, the Administrative Assistant for Development and People's Welfare of the Banyuwangi Regency Regional Secretariat, the Head of Kedungasri Village, and the people of Pondokasem Hamlet. In particular, the author also focuses on conducting interviews with a community who has lived in the area for a long time to find out how long the land tenure in the Forest Estate and other informants related to research and document studies.

Some important documents that support this study include the East Java GTRA Document concerning Album of Settlement Indications in Forest Areas, the land conflict dispute report from the Banyuwangi Regency Land Office, the RAPS realization report from the Ministry of ATR/BPN and the

Ministry of Environment and Forestry, Decree of 395/Menhut-II/2011 concerning the Appointment of Forest Areas in East Java Province, Governor Decree of East Java concerning the East Java Province Inver Team, GTRA Decree of Banyuwangi Regency in 2019, the Pondokasem Hamlet Branch Map, and several related documents obtained in the field. Data analysis was carried out by sorting out some data from the field, then grouped to be assessed, validating by double-checking various sources, and drawing conclusions (Sechelski & Onwuegbuzie, 2019). The following image is the location of the research that the author took online via Google Earth.

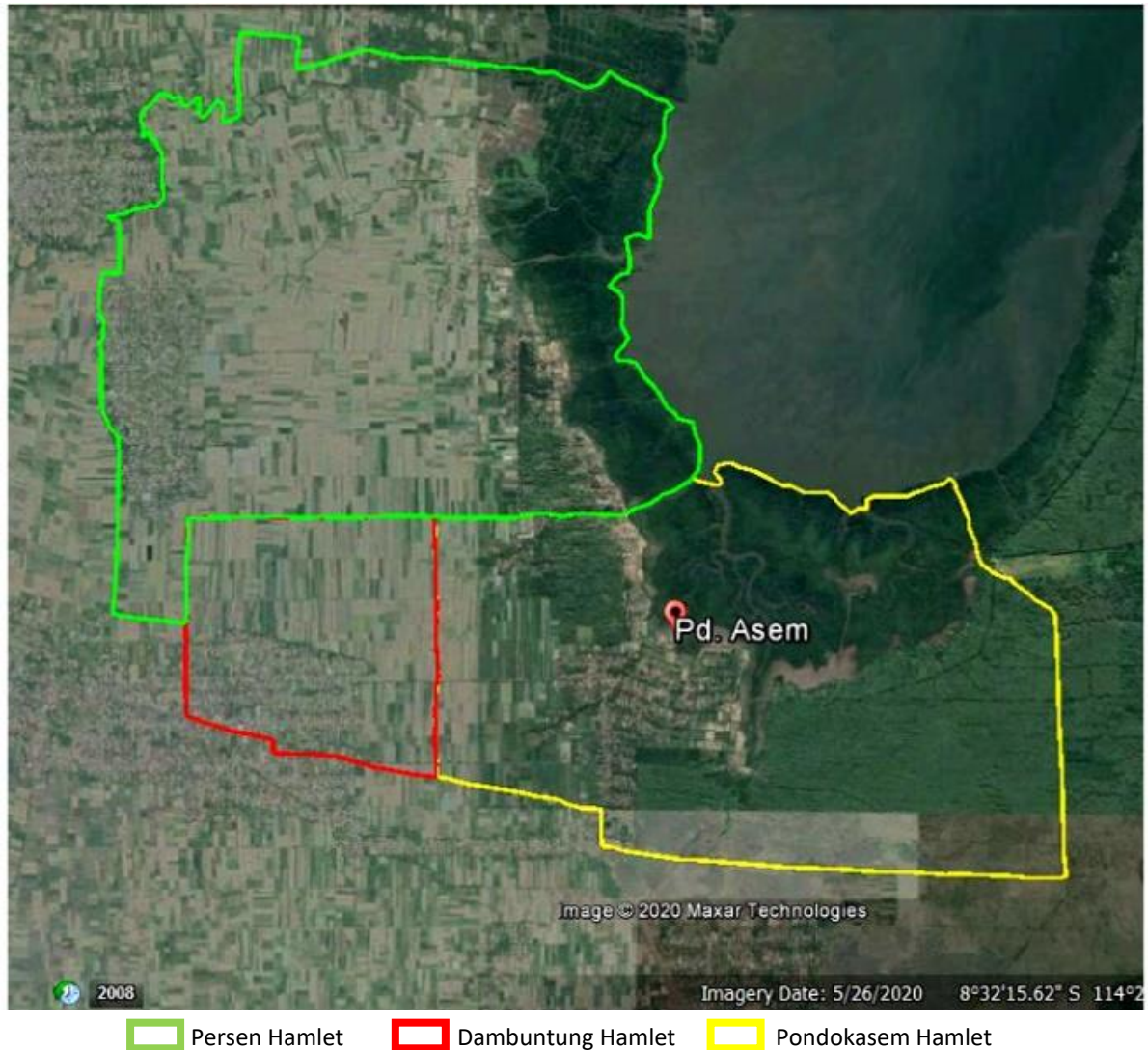


Figure 1. Persen Hamlet, Dambuntung, and Pondokasem Kedungasri Village  
Source: google earth, 2020

### C. Typology of Land Tenure Conflict in Forest Area

The number of residents of Banyuwangi Regency continues to grow and as a consequence the need for residential land and community livelihood land is increasing. In some regions, this condition is one of the causes of the encroachment of Forest Areas and the emergence of tenurial conflicts, including the tenurial conflict that occurs in Banyuwangi Regency. According to a report from the Banyuwangi Regency Land Office in 2017, there are 15 villages with a total population of 9,390 people who process and live in 3,319.6 ha of Banyuwangi Regency Forest Area. Setiawan in his study (2019) shows that conflicts that occur include conflicts between the community and government agencies (The ministry or local government), conflicts between the community and companies (business license

holders), and conflicts between the community and State Forestry Public Company. Table 1 describes some of the conflicts that occurred in Banyuwangi Regency that were collected from various sources. In the next section, the author will describe several cases of conflicts in Forest Areas that occurred in Banyuwangi Regency.

Table 1. Typology of Land Tenure Conflict in Banyuwangi Regency

No	Typology of Conflicts	Conflict Description	Solution Offering
1.	Community vs. Government/Local Government Agencies	The conflict that occurred between the community and the regency government in Grajagan Village, Purwoharjo District related to excess land in place of the TMKH process	The issuance of land title certificates is carried out through routine applications at the Banyuwangi Regency Land Office
2.	Community vs. Business License Holder	The conflict that occurred between the community and PTPN XII in Kebunrejo Village, Kalibiru District related to the land used by <i>erfpacht verponding</i> rights	Forest land management in the form of a Forestry Partnership
3.	Community vs. State Forestry Public Company	The conflict that occurred between the community and State Forestry Public Company in Kendalrejo Village, Tegaldlimo District related to the land used by <i>Erfpacht Verponding</i> Number 754	Forest Area Emissions through the TMKH scheme
4.	Village in Forest Area (community vs State Forestry Public Company)	The conflict that occurred between the community and state Forestry Public Company in Kedungasri Village, Tegaldlimo District related to settlements and agricultural land that were in the Forest Area and had been controlled by the community before Indonesian independence	RA-PS policy (P4T identification was done)

Source: Processed by authors from various sources, 2020

### 1. Conflict between Community and Government/Local Government Agencies

Banyuwangi Regency has had the experience of releasing forest areas with a Forest Area Exchange scheme (*Tukar Menukar Kawasan Hutan/TMKH*). The scheme was successfully carried out in Grajagan Village, Purwoharjo District. This success answers the people's struggle against the land (settlement land) that they have occupied since 1950. The Minister of Environment and Forestry (LHK) Decree Number 506/MENLHK/SETJEN/PLA.2/9/2017 dated September 25, 2017 becomes evidence of the release of Forest Area with an area of 52,810 m<sup>2</sup>.

The released Forest Area land amounted to 52,810 m<sup>2</sup> while the replacement land covering an area of 54,098 m<sup>2</sup> was located in Wongsorejo Village, Wongsorejo District. Juridical and technical replacement land has fulfilled the provisions of Article 8 of the Regulation of the Minister of Forestry Number 44/Menhut-II/2012 concerning the establishment of Forest Areas Number 62/Menhut-II/2013, so that it can be processed for an appointment. This TMKH process was approved in the Minutes of Exchange of Forest Areas between the Banyuwangi Regency Government and KLHK for the Grajagan Village community settlement Number 48/MenLHK-PTKL/KUH/2015 (590/807/429.012/2015) dated October 16, 2016.

The process of releasing Forest Area should necessarily boil down to the process of land redistribution where people get ownership rights for the land they have controlled. However, the redistribution process cannot be continued due to the excess of replacement land. Referring to Minister Environment and Forestry Regulation Number 97/MENLHK/SETJEN/KUM.1/1/2018 concerning Exchanging Forest Areas for Provinces with Wide Forest Areas below 30%, if the application

submitted by the government, individuals, groups/people who are non-commercial, the least ratio is 1:1. While the application submitted by the business entity is commercial, the least ratio is 1:2. The release of Forest Areas with the TMKH scheme in Grajagan Village was successfully implemented because it met the requirements according to the provisions and was not hit by the ratio provisions. However, the land redistribution process could not continue because PPL did not want to sign on the grounds that the area of replacement land must be 1:1. The excess area of replacement land that results in the Grajagan Forest Area that has been released cannot be redistributed. People who want to certify their land can only go through a routine application.

## 2. Conflict between Community and Business License Holder

As briefly explained in Table 1, the next typology of conflict that occurs in Banyuwangi Regency is the conflict between the Community vs. Business License Holders (private corporations). In the case of State Land registered under the name of NV. Rubber Cultuur Mij Kendenglembu in Kebunrejo Village, it was subject to nationalization based on Law no. 86 of 1958 jo Government Regulation No. 19 of 1959 in the form of a *erfpacht verponding* right with a total area of 3,802.58 ha. Based on the Decree of the Minister of Agriculture and Agrarian Affairs Number 8/Ka/1963 dated February 28, 1963, a land area of 1,410.17 ha was granted a Cultivation Right (*Hak Guna Usaha/HGU*) to the State Plantation Company of Various Plants XIII Jember which ended on July 16, 1973. Then the proposed renewal of the HGU along with a land area of 2,392.41 ha which was then issued by the Minister of Home Affairs Decree Number 21/HGU/DA/1988 dated February 16, 1988, regarding the granting of HGU to *PT. Perkebunan Nusantara (PTPN) XXVI* on a land area of 3,802.58 ha and valid until December 31, 2013. Since 2001, it has been managed by PTPN XII.

A small part of the HGU land covering an area of 570.62 ha which is a reserve forest is controlled and occupied by the community with a total of ±280 families, they build huts and plant ginger. Regarding this matter, mediation has been carried out and reached an agreement with a Letter of Agreement on Farming Business Cultivation of Seasonal Crops between the community and PTPN XII and has expired on March 9, 2007. The expiry of the agreement requires the community to leave the site. They did not leave the site and 24 families were caught cutting the plants belonging to PTPN XII. This made PTPN XII angry and arrested them and then sentenced them to 4 months in jail. Previously there was also a problem, Sairi and his friends (11 people) sued PTPN XII and the Head of Central BPN in Banyuwangi District Court case No. 110/Pdt.G/2006/PN.BWI with the main point of the lawsuit wanting to keep managing and not claiming rights. Islonyar and his friends (27 people) have also sued the same case with case No. 19/Pdt.G/2007/PN.BWI. Both lawsuits were lost and appealed to the East Java High Court. Currently, the information stated that there are 150 families still living in the location. The Banyuwangi Regency Government is in the process of facilitating applications for forest land management in the form of partnerships. Forestry partnerships are considered the right solution because the collaboration between the community (cultivators) and PTPN XII can be re-established.

## 3. Conflict between Society and State Forestry Public Company

The case of tenure conflicts that occurred in East Java was dominated by the community against the State Forestry Public Company because the Java forest area was monopolized by them. This state-owned company controls the largest forest area in Java, around 1.1 million hectares, and specifically for East Java, they manage around 698 thousand hectares (Suradiredja, 2021). One of the conflicts that occurred between the community and State Forestry Public Company in Kendalrejo Village, Tegaldlimo District related to the land used by *Erfpacht Verponding* Number 754.

In 1999, the community of Paluagung Hamlet, Kendalrejo Village, Tegaldlimo District applied for the land of the former *Erfpacht* Right that they owned and occupied since 1947 to be used as property rights. Initially, the land was managed and controlled by plantation entrepreneurs and after the plantation business left, this land was then controlled by building workers. In 2000, State Forestry Public Company objected to the request of the hamlet community. State Forestry Public Company stated that the *Erfpacht* Rights had been revoked with the Decree of the Director of Domestic Government (Director van Binnenlandsch Bestuur) no A.6/41/11 dated 6 October 1936 based on the Minutes of Boundaries (*Berita Acara Tata Batas/BATB*) Number 42 of February 24, 1938 and ratified on July 1, 1938. The objection of the State Forestry Public Company becomes an administrative defect because until now they have not been able to show the Cancellation Decree.

The House of Representatives of the Republic of Indonesia held a hearing and carried out investigations and field visits from 14 to 16 May 2004 and then issued a Recommendation Decree on the settlement of the land issue of the former *Erfpacht Verponding* Rights Number 754. The Regent of Banyuwangi appealed to the President of the Republic of Indonesia for the land of the former *Erfpacht* Right to be removed from the Forest Area and the Paluagung Hamlet community's application to be granted. In 2017, a field survey was also carried out, then a *hearing* was held with Commission II Regional People's Representative Assembly (*Dewan Perwakilan Rakyat Daerah/DPRD*) Banyuwangi Regency at the request of the Paluagung Hamlet community who inhabited the land of the former *Erfpacht Verponding* Rights Number 754, with the result that a) It is recommended to form GTRA of Banyuwangi Regency in accordance with Presidential Regulation Number 86 of 2018 concerning Agrarian Reform; and b) Requesting the Ministry of Environment and Forestry to immediately release the land of the former *Erfpacht Verponding* Rights Number 754 with an area of 156.26 ha from the Forest Area to the Paluagung Hamlet community, but so far the Ministry of Environment and Forestry has not released it.

The same case also happened in Kedungasri Village, Tegaldlimo District. Kedungasri has a forest area of 485.4958 ha or about 30.97% of the total area of Kedungasri Village. GTRA of East Java Province identifies that there is a community settlement area of 180.6751 ha or 37.21%. The typology of land tenure conflicts in the forest area in Kedungasri Village can be grouped into two, namely:

1. Conflict of community settlement land with State Forestry Public Company

Pondokasem hamlet has an area of  $\pm 76$  ha consisting of 2 RW and 7 RT. The population of Dusun Pondokasem is 3,121 people with a total of  $\pm 400$  families. Pondokasem hamlet has been occupied by the community since the time of Japanese colonization. According to Mbah Bakir (first-generation residents in Pondokasem Hamlet who are currently  $\pm 100$  years old), initially, Pondokasem was a Forest Area which was then embargoed and planted with bamboo plants and reeds. They are given 0.25 ha of land by forestry officials on the condition that they can be inherited but cannot be sold. They were given land to help provide fuel for the train, which is burned wood.

2. Forest area utilized by the community as agricultural land

Medium-covered land, such as under stands of teak or mahogany with relatively wide distances, is used by the community to grow food crops and grow animal feed. Meanwhile, the low-covered land is managed by the community to plant rice in the rainy season and the dry season to plant corn. People who use forest areas as arable land are worried that one day the State Forestry Public Company will prohibit them from using the land. In addition to the plants mentioned, in Kedungasri Village there is also a 400 ha mangrove forest area that functions as a protected forest. This mangrove forest was once damaged and then successfully rehabilitated by the community. Currently, in each hamlet a mangrove forest tourism management group has been formed.



Some of the cases above are a brief description of how land tenure conflicts in the Forest Area in Banyuwangi Regency will then be focused on one village for identification of Authorization, Ownership, Use, and Utilization of Community Land (*Penguasaan, Pemilikan, Penggunaan, dan Pemanfaatan Tanah/P4T*).

#### **D. Identification of Authorization, Ownership, Use, and Utilization of Community Land in Forest Areas**

The identification of P4T was carried out in Kedungasri Village with the main focus being Kedungasri Village whose settlement is still in a Forest Area, which is Pondokasem Hamlet. The P4T identification process of this research was different from the P4T inventory process carried out by the land office. At the land office, the P4T inventory is carried out by a collective application from the community, then the P4T inventory team goes down to the field, collects data, performs analysis and processing, then the P4T inventory team provides recommendations in the form of Minutes. The P4T identification carried out in this study refers to the 1970s *Kerawangan* map and the interpretation of the 2019 SPOT 7 satellite imagery as well as the results of field surveys. The map of the village is a sheet containing land plots along with their subject and area prepared by the local village government.

According to the East Java GTRA Team, Kedungasri Village is a Forest Area with the highest percentage of settlement indications in Banyuwangi Regency, which is 37, 21% (180.6751 ha). Map of Settlement Indications in Forest Areas in Banyuwangi Regency made by the East Java Province GTRA Team in 2019 shows that Kedungasri Village is one of the villages indicated by the existence of settlements in Forest Areas. This map is from the 2017 East Java Province Forest Area Development Map which shows that Kedungasri Village is a Forest Area with Fixed Production Forest Area.

Observations made in Kedungasri Village, especially in Pondokasem Hamlet, found that there were 309 plots of land. From the 309 plots, 304 plots of land were mapped from the *Kerawangan* map and 5 other plots were mapped based on image interpretation. The results of field observations and image interpretation from the *Kerawangan* map are presented in the table. The tables presented in this article show two areas, namely the area based on the *Kerawangan* map and the area based on the mapping. The extent of this mapping is obtained from the interpretation of the image based on the *Kerawangan* map and the survey results. Here is a further explanation.



Figure 2. Land use in Pondokasem Hamlet  
Source: Profile of Pondokasem Hamlet in 2019



## 1. Land Tenure and Land Ownership

Land tenure is categorized in two categories, namely land tenure by owners and land tenure by non-owners.

Table 2. Land Tenure of Pondokasem Community

No	Land Tenure Model	Number of Plots	<i>Kerawangan</i> Map Area (ha)	Mapping Area (ha)
1.	Land tenure by owners	304	65.715	72.3930
2.	Land tenure by non-owner	5	-	48.0078
	Total	309	65.715	120.4008

Source: Processed from Primary Data, 2020

The number of plots for the category of land tenure by owner is obtained from the *Kerawangan* map, while the number land tenure by non-owner is the plots that is not contained in the *Kerawangan* map but is obtained from image interpretation.

Table 3. Land Ownership of Pondokasem Community

No	Land Ownership Model	Number of Plots	<i>Kerawangan</i> Map Area (ha)	Mapping Area (ha)
1.	Unregistered land ownership	309	65.715	120.4008
	Total	309	65.715	120.4008

Source: Processed from Primary Data, 2020

Community land ownership of Pondokasem Hamlet is categorized into unregistered land ownership because these 309 plots are administratively Forest Area. This land ownership will be registered if the release of Forest Area has been carried out which is then followed up by a land redistribution program.

Table 4. Distribution of Land Ownership of Pondokasem Community

Ownership Scale (m <sup>2</sup> )	Number of Plots	%
Do not own (m <sup>2</sup> )	0	0
1-849	17	5.59
850-1699	117	38.49
1700-2549	74	24.34
2550-3399	64	21.05
3400-4249	18	5.92
4250-5099	7	2.30
5100-5949	3	0.99
5950-6799	2	0.66
6800-7649	1	0.33
> 7650	1	0.33
Total	304	100

Source: Processed primary data 2020

The table above shows the distribution of land ownership based on *Kerawangan* map where there are significant differences in ownership between communities. At that time, the community already settled the land with various areas. The highest percentage is 38.49% with an ownership scale of 850 m<sup>2</sup>–1699 m<sup>2</sup> of 117 plots. The dominant area is used for various uses, such as social activities, mixed-use, shelter, and agricultural production.

## 2. Land Use and Land Utilization

The results of P4T identification processing in forest areas that have been controlled by the people of Pondokasem hamlet show diverse uses and utilization. That diversity can be seen in the table below.

Table 5. The Use and Utilization of Pondokasem Community Land

No	Intended Use	Utilization	Number of Plots	<i>Kerawangan</i> Map Area (ha)	Mapping Area (ha)
1.	<i>Kampung Jarang</i>	Residence	201	41.839	47.1952
2.	<i>Kampung Jarang</i>	Social Activities	8	2.370	2.4238
3.	Mixed Plantation	Mixed Utilization	7	1.694	1.6598
4.	Sports Fields	Sports Infrastructure	1	-	0.9390
5.	Rainfed Rice Fields	Agricultural Production	80	16.698	64.2281
6.	Ponds	Fishery	1	-	0.8266
7.	Moor	Mixed Utilization	11	3.114	3.1323
		Total	309	65.715	120.4008

Source: Processed by the authors, 2020

Land use in Pondokasem Hamlet includes *kampung jarang* (category of villages in forest areas with sparse/dense settlements), mixed gardens, sports fields, rainfed rice fields, ponds and moors. Types of utilization include residence, social activities, mixed utilization, sports infrastructure, agricultural production, and fisheries. The plot with the most use is a *kampung jarang* with a residential utilization of 201 plots. The dominant area based on the *Kerawangan* map is the use of *kampung jarang* with residential utilization, which is 41.839 ha. Meanwhile, the dominant area according to mapping is the use of rainfed rice fields with the use of agricultural production, which is 64.2281 ha. There is a dominant area difference between the area based on *Kerawangan* map and the mapping because there are three plots of agricultural production in the mapping results that are not contained in *Kerawangan* map. According to the table above, for the use of rainfed rice fields with the utilization of agricultural production, there are 80 fields where 77 fields are based on *Kerawangan* map and 3 additional plots based on the results of image interpretation.

## 3. Agrarian Reform-Social Forestry Policy Scheme

The percentage of the Java Forest Area that does not exceed 30% causes the difficulty of carrying out RA originating from the release of Forest Area. Kartodiharjo (2017) revealed that the PPTKH scheme offered for Forest Area that are less than 30% with settlement control is resettlement and TMKH which is difficult to do in the field due to the limited replacement land available and requires large costs. State Forestry Public Company said that the exclusion of Java, Lampung Province, and Bali Province is listed in the Circular Letter of the Coordinating Minister for Economic Affairs of the Republic of Indonesia dated August 5, 2019, concerning TORA Approval Information from Forest Areas through

PPTKH and Release of Non-Productive Convertible Production Forest Areas (*Hutan Produksi Konversi/HPK*) (personal communication, July 3, 2020). Information obtained from the Head of Modeling of BPKH XI and State Forestry Public Company shows that RA cannot be carried out in Java with TORA originating from the release of Forest Areas. With the condition of Pondokasem hamlet which is not a forest cover, RA-PS policy should be able to be carried out in this region. There is a need for coordination between institutions/agencies that are part of the GTRA Team to be able to voice the wishes of the community in Pondokasem hamlet. This study shows that Pondokasem Hamlet is worth fighting for so that the release of Forest Areas can be carried out for the RA-PS policy. The exclusion of Java from the provision of TORA should not negate RA policies on Java, especially Pondokasem Hamlet.

Social Forestry offered by State Forestry Public Company is not the only solution to the conflict in Pondokasem. Communities need to strengthen assets for the land they have long controlled (Ambarwati et al., 2018b; Wulandari & Kurniasih, 2019). They need guarantees that can assure them that one day they will not be evicted from the region. Strengthening this asset can be done by the process of releasing Forest Areas through TMKH. After the process of releasing Forest Area, it can be followed up by the issuance of a certificate through land redistribution so that community land rights are more guaranteed. After land redistribution, the community can get capital for business by distributing land certificates to financial institutions (Fajar & FC. Susila, 2017; Ramdani, 2020; Waryanta, 2016). Meanwhile, after social forestry, it is hoped that access can be given to the community in the form of capital such as providing seeds, fertilizers, and other policies so that agricultural production can run properly. From that, the RA-PS program can overcome the conflicts that occur and can improve the welfare of the people of Pondokasem. The government must work hard so that this RA-PS (not only PS) policy can be implemented in Pondokasem hamlet.

## **E. Conclusion**

The results of the identification of P4T based on observations and interviews with the community in Pondokasem Hamlet along with the documents obtained indicate that they have been a settlement since before Indonesia became independent precisely in the time of Japanese colonization. Meanwhile, the conflict that occurred in Banyuwangi Regency shows that the Forest Areas in Banyuwangi Regency has been mostly controlled by the community since decades ago. The appearance of settlements and infrastructure facilities that are growing in Pondokasem confirms that it is worth releasing Forest Areas which are then followed up by RA policies. This can also be seen from the utilization of land in Pondokasem with the highest area of 64.2281 ha is agricultural production. Therefore, the agricultural production area is worth proposing for social forestry policy. The data of the East Java Provincial GTRA Team in 2019 shows that the East Java Provincial Forest Area is 30.95% which means that it is above the minimum limit and can be released into Forest Areas with changes in the boundaries of it, at least for plots as residential land (settlement). Meanwhile, Forest Areas that have been cultivated for decades can be granted a utilization permit under the PS scheme while still following the regulations set by the Ministry of Environment and Forestry and managed by State Forestry Public Company as the forest ruler in East Java Province.

Based on the experience of field research in Banyuwangi Regency, studies related to community tenure land in Java are still very limited. Therefore, it is important to conduct an in-depth study of the history of land tenure from a historical perspective. Historical perspective paid attention to the problem of community tenure land conflicts that are included in the Forest Area, especially land for settlements and people's life support. This study can explain the problem of how the government

should behave towards citizens' rights. In fact, Java is narrow and a lot of people settled in it, so the policies to be issued by the government must have clear criteria and priorities, especially related to settlement and livelihood land to build their food sovereignty.

## F. Recommendations

Based on the study in the field, the author proposes policy recommendations for Pondokasem Hamlet, Kedungasri Village as follows:

1. For the Pondokasem Hamlet area which has long been a Forest Area, the Banyuwangi Regency Government must fight for the release of the Forest Area. The release of this forest area is not only because it has become a settlement but rather how long the area has been a Forest Area.
2. The Banyuwangi Regency Government should be more enthusiastic to examine the conflicts that occur in Forest Areas and provide solutions for the community. In fact, the community is "the property of the local government", and the local government should regulate and fight for the rights of the community.
3. For Forest Areas that are cultivated land which is then recommended for PS, State Forestry Public Company should also listen to the wishes of the community regarding the profit-sharing system and the types of plants planted. In other words, PS should be a consensus between farmers and State Forestry Public Company instead of only benefiting the State Forestry Public Company.
4. According to the Ministry of Environment and Forestry, Java has Forest Areas below 30% while the existing Forest Areas are no longer in the form of forests. The Ministry of Environment and Forestry should take policy or action on the minimum extent of Forest Areas. Based on the facts in the field, it is no longer relevant to maintain a percentage of 30% Forest Areas, while the so-called Forest Areas are partly residential. Supposedly, the Ministry of Environment and Forestry takes a special policy on Forest Areas that have been converted into settlements.

## References

- Ambarwati, M. E., Sasongko, G., & M.A Therik, W. (2018a). Dinamika Konflik Tenurial Pada Kawasan Hutan Negara (Kasus Di BKPH Tanggung KPH Semarang). *Sodality: Jurnal Sosiologi Pedesaan*, 6(2).
- Ambarwati, M. E., Sasongko, G., & M.A Therik, W. (2018b). Dynamics of The Tenurial Conflict in State Forest Area (Case in BKPH Tanggung KPH Semarang). *Sodality: Jurnal Sosiologi Pedesaan*, 6(2). <https://doi.org/10.22500/sodality.v6i2.23228>
- Ambarwati, M. E., Sasongko, G., & Therik, W. M. A. (2019). Peran Perhutani dalam Penyelesaian Konflik Tenurial pada Kawasan Hutan: Studi Kasus RPH Ringinpitu BKPH Tanggung KPH Semarang. *KRITIS*, 28(2). <https://doi.org/10.24246/kritis.v28i2p88-113>
- Creswell, J. W. (2016). *Research Design: Pendekatan Metode Kuantitatif, Kualitatif, dan Campuran* (A. F. & R. K. P. (Penerjemah) (ed.); Keempat). Pustaka Pelajar.
- Dassir, M. (2008). Masyarakat Adat Kajang, Muh Dassir Laboratorium Hasil Hutan Fakultas Kehutanan UNHAS. *Hutan Dan Masyarakat*, 3(02).
- Dempo, A. A. P., Salim, M. N., & Farid, A. H. (2021). Evaluasi Pelaksanaan Redistribusi Tanah Eks Kawasan Hutan di Kabupaten Musi Rawas. *Tunas Agraria*, 4(1). <https://doi.org/10.31292/jta.v4i1.131>
- Diantoro, T. D. (2021). Dinamika Kebijakan Resolusi Konflik Tenurial Kawasan Hutan Era Joko Widodo. *Media of Law and Sharia*, 1(4). <https://doi.org/10.18196/mls.v1i4.10272>
- Ekawati, F. N. F., Salim, M. N., & Utami, W. (2019). Pemetaan Partisipatif Guna Pengusulan Tanah Obyek Reforma Agraria (TORA) dalam Kawasan Hutan di Kabupaten Ogan Komering Hulu. *Tunas Agraria*, 2(3). <https://doi.org/10.31292/jta.v2i3.37>

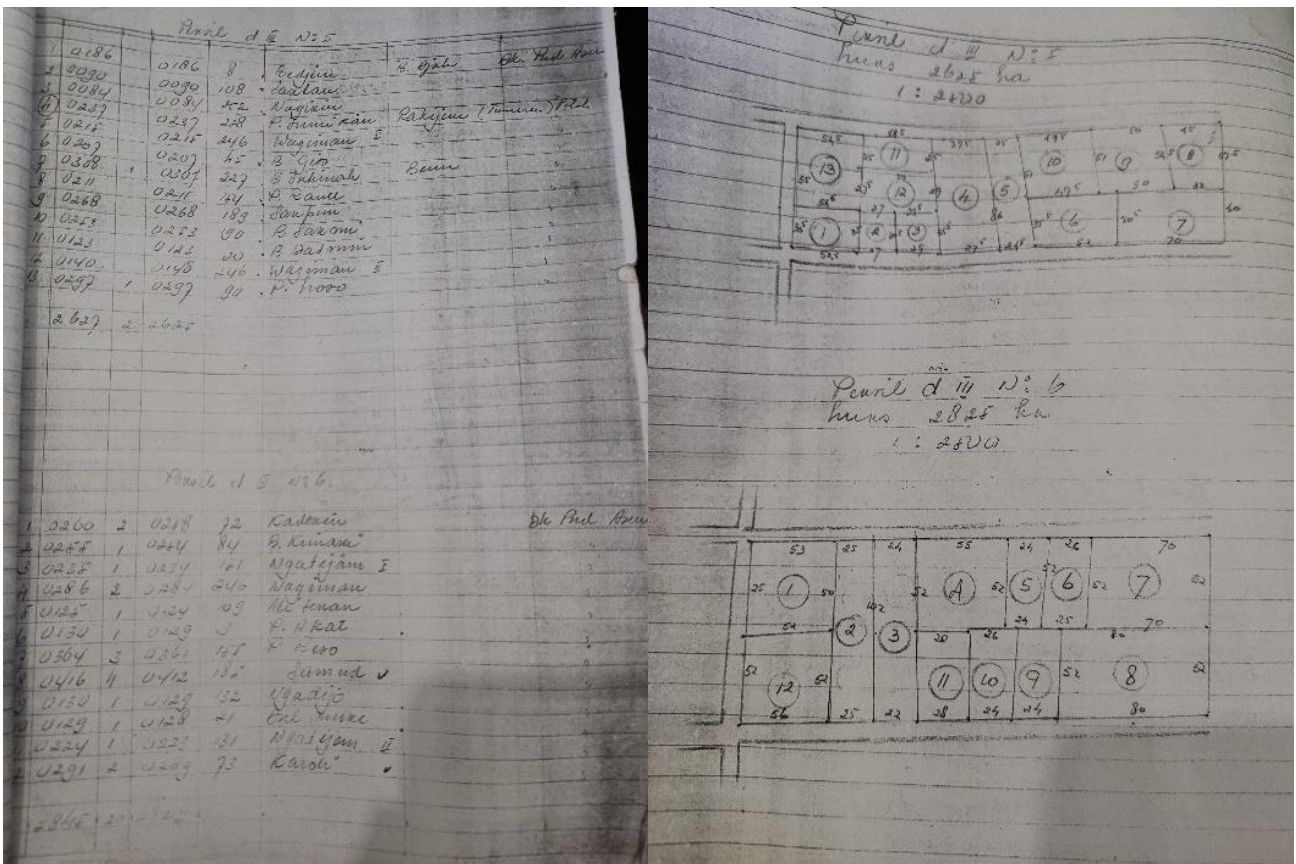
- Fajar, M., & FC. Susila. (2017). *Kebijakan Reforma Agraria untuk Kemandirian Pangan Nasional (Studi Implementasi Kebijakan Publik Kantor ATR/BPN Kab. Semarang)*. 6, 1–17.
- Julia, F., Maftuh, B., & Malihah, E. (2015). Analisa Konflik antara Masyarakat dengan Perhutani akibat Pengambilan Lahan Kehutanan. *SOSIETAS*, 5(2). <https://doi.org/10.17509/sosietas.v5i2.1523>
- Junarto, R., & Djurdjani, D. (2020). Pemetaan Objek Reforma Agraria dalam Kawasan Hutan (Studi Kasus di Kabupaten Banyuwasin). *Bhumi: Jurna Agraria Dan Pertanahan*, 6(2), 219–235.
- Kartika, D. (2018). *Masa depan Reforma Agraria, Melampaui Tahun Politik*. [http://kpa.or.id/publikasi/baca/laporan/30/Catahu\\_2018:\\_Masa\\_Depan\\_Reforma\\_Agraria\\_Melampaui\\_Tahun\\_Politik/?lang=id](http://kpa.or.id/publikasi/baca/laporan/30/Catahu_2018:_Masa_Depan_Reforma_Agraria_Melampaui_Tahun_Politik/?lang=id)
- Kartika, D. (2021). *Catatan Akhir Tahun 2021 Konsorsium Pembaruan Agraria, “Penggusuran Skala Nasional (PSN).”* [http://kpa.or.id/publikasi/baca/laporan/96/Catahu\\_2021\\_Edisi\\_Peluncuran:\\_Penggusuran\\_Skala\\_Nasional\\_PSN\\_/?lang=id](http://kpa.or.id/publikasi/baca/laporan/96/Catahu_2021_Edisi_Peluncuran:_Penggusuran_Skala_Nasional_PSN_/?lang=id)
- Kartodiharjo, H 2017, ‘Titik kritis penyelesaian penguasaan tanah dalam kawasan hutan’, *Agroindonesia*, 5 Desember 2017, dilihat pada 18 Maret 2020, <http://agroindonesia.co.id/2017/12/titik-kritis-penyelesaian-penguasaan-tanah-dalam-kawasan-hutan-2/>.
- Kristiadi Harun, M., & Dwiprabowo, H. (2014). Model Resolusi Konflik Lahan di Kesatuan Pemangkuan Hutan Produksi Model Banjar. *Jurnal Penelitian Sosial Dan Ekonomi Kehutanan*, 11(4), 265–280. <https://doi.org/10.20886/jpsek.2014.11.4.265-280>
- KSP. (2017). *Pelaksanaan Reforma Agraria, Arahan Kantor Staf Presiden: Prioritas Nasional Reforma Agraria dalam Rencana Kerja Pemerintah Tahun 2017*.
- Manik, S. S., Martanto, R., & Salim, M. N. (2021). Potensi Tanah untuk Reforma Agraria dalam Kawasan Hutan di Pakpak Bharat, Sumatera Utara. *Tunas Agraria*, 4(3). <https://doi.org/10.31292/jta.v4i3.153>
- Nilasari, A., Murtillaksono, K., & Soetarto, E. (2017). Tipologi Konflik Kawasan Hutan Pada Proses Penataan Batas di Wilayah Pulau Bangka. *SodaJurnal Sosiologi PedesaanJurnal Sosiologi Pedesaan*, 5(3).
- Ramdani, M. F. (2020). Implementasi Kebijakan Agraria dan Ketimpangan Penguasaan Lahan (Kasus Lahan Eks HGU di Desa Cipeuteuy, Kecamatan Kabandungan, Kabupaten Sukabumi, Provinsi Jawa Barat). *Jurnal Sains Komunikasi Dan Pengembangan Masyarakat [JSKPM]*, 4(6). <https://doi.org/10.29244/jskpm.v4i6.728>
- Salim, M. N., Pinuji, S., & Utami, W. (2018). Reforma Agraria Di Kawasan Hutan Sungaitohor, Riau: Pengelolaan Perhutanan Sosial Di Wilayah Perbatasan. *BHUMI: Jurnal Agraria Dan Pertanahan VO - 4*, 4(2).
- Salim, M. N., & Utami, W. (2019). *Reforma Agraria, Menyelesaikan Mandat Konstitusi: Kebijakan Reforma Agraria dan Perdebatan Tanah Objek Reforma Agraria* (1st ed.). STPN Press.
- Salim, M. N., Wulan, D. R., & Pinuji, S. (2021). Reconciling community land and state forest claims in Indonesia: A case study of the Land Tenure Settlement Reconciliation Program in South Sumatra. *Forest and Society*, 5(1). <https://doi.org/10.24259/fs.v5i1.10552>
- Sechelski, A. N., & Onwuegbuzie, A. J. (2019). A call for enhancing saturation at the qualitative data analysis stage via the use of multiple qualitative data analysis approaches. *Qualitative Report*, 24(4). <https://doi.org/10.46743/2160-3715/2019.3554>
- Senoaji, G., Anwar, G., & Iskandar, I. (2020). Tipologi dan Resolusi Konflik Tenurial dalam Kawasan Hutan Konservasi Taman Wisata Alam Pantai Panjang-Pulau Baai di Kota Bengkulu. *Jurnal Ilmu Lingkungan*, 18(2). <https://doi.org/10.14710/jil.18.2.323-332>
- Shohibuddin, M. (2018). *Perspektif Agraria Kritis: Teori, Kebijakan dan Kajian Empiris*. STPN Press.
- Sirait, M. (2017). *Inklusi, Eksklusi dan Perubahan Agraria: Redistribusi Tanah Kawasan Hutan di Indonesia* (A. Choirudin (ed.); 1st ed.). STPN Press.
- Suradiredja, D. (2021). *Apa yang Harus Disiapkan Negara? Kebijakan Penetapan Kawasan Hutan*

*dengan Pengelolaan Khusus (KHDPK) untuk Perhutanan Sosial di Jawa.*  
<https://sebijak.fkt.ugm.ac.id/2021/05/31/apa-yang-harus-disiapkan-negara-kebijakan-penetapan-kawasan-hutan-dengan-pengelolaan-khusus-khdpk-untuk-perhutanan-sosial-di-jawa/>

- Susanti, A. (2021). Jangka Benah: Alternatif Solusi Persoalan Keterlanjuran Kebun Kelapa Sawit Monokultur di Kawasan Hutan. *Jurnal Ilmu Kehutanan*, 15(1).  
<https://doi.org/10.22146/jik.v15i1.1566>
- Susilowati. (1999). Konflik Tenurial dan Sengketa Tanah Kawasan Hutan yang Dikelola oleh Perum Perhutani. *Jurnal Repertorium*, 3.
- Walliman, N. (2017). *Research Methods: The Basics* (2nd Editio). Routledge.  
<https://doi.org/10.4324/9781315529011>
- Waryanta, M. (2016). Reforma Agraria: Momentum Mewujudkan Kemandirian Ekonomi Masyarakat Kecil dalam Mendukung Ketahanan Pangan. *BHUMI: Jurnal Agraria Dan Pertanahan*, 2(2).  
<https://doi.org/10.31292/jb.v2i2.69>
- Widowati, DA, Luthfi, AN, Guntur, IGN 2014, *Pengakuan dan perlindungan hak atas tanah masyarakat hukum adat di kawasan hutan*, STPN Press, Yogyakarta.
- Winata, D. K. (2019). KLHK Identifikasi Ribuan Desa di Kawasan Hutan . *Media Indonesia*.  
<https://mediaindonesia.com/humaniora/221945/klhk-identifikasi-ribuan-desa-di-kawasan-hutan>
- Wulandari, C., & Kurniasih, H. (2019). Community preferences for social forestry facilitation programming in Lampung, Indonesia. *Forest and Society*, 3(1).  
<https://doi.org/10.24259/fs.v3i1.6026>



Attachment



Kerawangan Map  
 Source: Kedungasri Village Government Documentation



Registration mark issued in 1973  
 Source: Pondokasem Hamlet Profile 2019

**SURAT KETETAPAN IURAN PEMBANGUNAN DAERAH**

PETIKAN DARI BUKU PENETAPAN IURAN PEMBANGUNAN DAERAH HURUF C1 INI DIBERIKAN KEPADA :

BUKU PENETAPAN HURUF C No. 1850

NAMA : Salehan Pawiro Soem KECAMATAN : Tegal Alimo  
 BIN/ALIAS : KEWEDANAN : Bambang  
 ALAMAT : Kd. Wungu KABUPATEN : Banyuwangi  
 DESA : Kidungwungu No. 5 KERESIDENAN : Perbek  
 PROPINSI : Jawa Timur

Sebagai bukti bahwa tanah-tanah dan penetapan-penetapan tersebut di bawah ini telah tercatat atas namanya dalam buku-buku Direktorat Iuran Pembangunan Daerah, Kantor Daerah Ke. Dinas Ekowis masdukiyungu  
 tanggal 20 - 8 1979  
 Direktur Iuran Pembangunan Daerah  
 Dastok Jember

**PERINGATAN :**  
 Pemegang diwajibkan memberi laporan apabila terjadi perubahan-perubahan.

  
**SOEMARDI**  
 NIP. 0601273

S A W A H					TANAH DARAT						
Nomor blok dan huruf bagian blok	Kelas Desa	Menurut buku penetapan huruf C			Keterangan	Nomor blok dan huruf bagian blok	Kelas Desa	Menurut buku penetapan huruf C			Keterangan
		Luas Tanah		Besarnya IPEDA				Luas Tanah	Besarnya IPEDA		
		Ha	da							Rp.	
<u>1618 III</u>		<u>0</u>	<u>175</u>	<u>660.-</u>							
				<u>B : Rp. 660.-</u>							
				<u>Jh. 1979.</u>							

Regional Development Contributions in 1979  
 Source: Pondokasem Hamlet Profile 2019



Land use in Pondokasem Hamlet  
 Source: Pondokasem Hamlet Profile 2019