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Agrarian Conflict in Jenggawah, Jember, East Java 1979-2001

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Abstract

This study examines the land conflicts in the Jenggawah area, Jember Regency, East Java, between farmers and PTP XXVII. In this study, the author explores the background of the conflict, the process, and the conflict resolution process and compares the Jenggawah conflict with land disputes in the Kalibakar area. This study is based on Karl Marx's theory of factors of production and ownership of capital. The heuristic process in this study was carried out through a literature study. The results showed that the agrarian conflict in Jenggawah was motivated by the nationalization of the

Dutch plantations granted by the RtC to PTP XXVII. In the new order era, conflict was accompanied by violence between the two parties involved. During the reformation period, violence and destruction of land continued. The steps to resolve disputes in the new order era emphasized the role of state institutions. In contrast, in the reform era, the government prioritized the intensity of government work in issuing unresolved certificates, reviewing cooperation letters, and stopping repressive actions.

Keywords: Agricultural, Jenggawah, Conflict, Policy

1. Introduction

It is a fact that most Indonesian people depend on agriculture, making Indonesia an agricultural country. However, it is miserable in Indonesia that conflicts often occur in the farming sector, especially regarding land ownership or agrarian conflicts. There are several factors why agrarian conflicts in Indonesia often happen. According to Zakie (2016), the causes of the conflict include the increasing economic value of land and the importance of land for human life. These factors cause several parties to fight over the ownership of land rights and rights that can be attached to the ground to make a profit.

In Indonesia, there is already a law that contains regulations regarding the land system, namely Law no. 5 of 1960 or what is commonly known and understood as the Basic Law of Agraria (BLoA). In the BLoA, all rights closely related to land are regulated, including the Right to Cultivate (RtC). The BLoA was drafted to bring prosperity and well-being to Indonesian farmers (Badri, 2016). However, in practice, things often cause agrarian conflicts. One of the agricultural conflicts is Jenggawah, a district of Jember Regency, East Java Province. The majority of the population are ethnic Madurese and work as farmers. Agrarian conflicts occurred in the Jenggawah district and four sub-districts (Badri, 2016).

The cause of the Jenggawah conflict began with granting RtC to a state company named *Perseroan Terbatas Perkebunan* (PTP/Plantation Limited Company). The state usually gives RtC to Indonesian citizens or companies with the legality to cultivate the land, and their existence is recognized by law. RtC is a right delegated by the state, given to the authorities, and legitimized by law to manage and control land in Indonesia. The RtC holder can use the land for many purposes, such as fisheries, plantations, and animal husbandry (Abdurrahman, 1978).

The Jenggawah conflict can be divided into two periods. The first conflict occurred in the Jenggawah district in 1979, followed by the second conflict, which lasted from 1994 to 1995 (Badri, Arifin, Sumartono, 2013). These conflicts were marked by much destruction of public facilities.

The trigger that caused the issue of this conflict to heat up was the lack of harmony created between several elements, between the peasants, who in this case were cultivators, and the PTP XXVII. The worst thing about the conflict was violence and fights between communities on behalf of farmers and people from companies. The conflict lasted for two months in 1979, from June to August. Several triggers resulted in the agrarian conflict in Jenggawah exploding between the two groups, resulting in many conflicts.

The first conflict was caused by the PTP XXVII management that expanded the tobacco crop and displaced the smallholders

who had traditionally cultivated the state land in Jenggawah (Badri, Arifin, Sumartono, 2013). From the company's perspective, the extension is legal because in the area of their RtC. On the other hand, Jenggawah farmers view the extension as killing their life because it is the only land they have to survive. The Jenggawah farmers were frustrated when they found that the extension was approved by Jember Regent on 15 July 1978 (Badri, Arifin, Sumartono, 2013).

How did the Jenggawah farmers fight against the state company and local government? This study aimed to reconstruct the Jenggawah conflict as a social movement. Research questions: (1) What were the backgrounds of the agrarian conflict in Jenggawah? (2) how was the process of the agrarian conflict in Jenggawah from 1979 to 2001? (3) What is the government's policy in resolving the problem of agrarian conflicts in Jenggawah?

2. Methodology

This study examines agrarian conflicts in Jenggawah District, Jember Regency, East Java Province. This study uses a qualitative method. The qualitative approach is a type of research that can form innovations but cannot be achieved only by statistical mechanisms or by using alternative methods that refer to communication. Qualitative research can show research on a person's behavior, historical stories, socio-cultural life in society, behavior, and kinship relationships (Safitri, 2020). Mantra (2004) argues that qualitative methods are understood as step-in research to obtain descriptive data in the form of speech and behavior from humans. Qualitative methods aim to explain the uniqueness of both groups, communities, and individuals in a comprehensive, detailed, and scientifically understandable way (Siyoto & Sodik, 2015).

The analysis uses the theory of Karl Marx. According to Karl Marx (Fauziah, 2018), a conflict must be seen between capital inequality and the means of production. Those factors lead to two classes: the bourgeoisie as the oppressors and the proletariat as the oppressed. In addition, by analyzing these aspects. The proletariat seeks a good economy and adequate resources and then confronts the bourgeois class, which has power over the means of production. Thus, the position of the proletariat and the bourgeoisie is opposite.

3. Findings and discussion

Background of Agrarian Conflict in Jenggawah

Since the colonial era, Jember has been an area with a large center of agricultural activity; even the majority of community welfare and economic growth sources depend on agriculture. Over time, the extent of agricultural land owned by Jember Regency became a source of agrarian conflicts involving two parties, farmers and the state. This agrarian conflict occurred in the Ajung Gayasan plantation, Jenggawah District, Jember Regency (Badri, Wijaya, & Arifin, 2021).

The plantation land of Ajung Gayasan was originally the land that was formerly owned by Erfpacht in the name of Landbouw Maatschappij Oud Djember (LMOD) (Badri, Arifin, & Sumartono, 2013). In the 1850-the 1860s, there were four plantations belonging to European business people in Jember. One of the most active entrepreneurs in developing tobacco plantations in this region is George Birnie (International, 2007). The results of research conducted by George Birnie in 1859 in the Bondowoso

District (including the Jenggawah area) showed that this area has very fertile land and has the potential to be used as land for growing Na Oogst tobacco. Therefore, George Bernie was interested in opening tobacco plantations or Onderneeming in the Jember area by first applying for a permit from the Dutch East Indies Government (Nurhasim, 2011).

According to the farmer's version, in 1870, George Bernie had obtained erfacht rights to a tobacco plantation that covered four districts in Jember, namely Jenggawah, Mangli, Rambi Puji, and Mumbulsari. The validity period of erfacht rights from this plantation is 75 years. Forest land was cleared into plantations with the help of workers imported from Madura and Kendal, and this was because, at that time, Jember was still sparsely populated (Nurhasim, 2011). Landbouw Maatschappij Oud Djember which was founded by George Bernie became the first tobacco plantation industry in Jember (Andrian & Hudiyanto, 2018). In 1943 this onderneming experienced a vacuum and was taken over by the people. This condition occurred due to the defeat of the Dutch East Indies Government over Japan. Then the Japanese government forcibly took over the plantation and obligated the people to plant cotton, and the results were deposited to the Japanese government. Farmers took over these plantations after Japan's defeat to the Allies, and in 1953 there was a regulation that farmers who took over former erfacht plantations were obliged to pay taxes. They were also given pethok D (Nurhasim, 2011). Then this Ajung Gayasan plantation land was nationalized into state property with PT. Plantation XXVII (PTP XXVII) Jember is the controller of land tenure; this is based on Law Number 86 of 1969 (Badri, Arifin, & Sumartono, 2013).

The roots of the agrarian conflict in Jenggawah began in 1969 after rumors circulated that village officials, sub-district officials, and security personnel had replaced girik or pethok D with certificates. It was followed by the threat of imprisonment for people unwilling to give up their land. The Koramil and the police, in cooperation with PTP XXVII, give a stigma that farmers who refuse to provide petok are considered communists and are, at the same time, opposed to government development (Badri, Rochwulaningsih, & Alamsyah, 2017). The process of collecting land certificates was considered odd because it was carried out at the PTP office, not at the land office (KKPK, 2014).

The PTP XXVII used bribes to the village head of Ajung Gayasan; the aim was to make it easier to get Cultivation Rights. By obtaining RtC, PTP XXVII manages to land with an area of 3,247 hectares, including land owned by farmers in Jenggawah (KKPK, 2014). In the case of the Jenggawah land dispute, there is a tendency for the state not to prioritize the interests of the people and is more in favor of the interests of large companies (Badri, Rochwulaningsih, & Alamsyah, 2017).

Farmers in Jenggawah are willing to hand over their petok D because of the promise given by the village apparatus that there will be a redistribution of land per plot. After issuing a circular letter from the Governor of East Java regarding land plots, it turned out that each KK (family card) only got 0.300 hectares of land. The land area is considered too narrow and not sufficient for farmer activities. Since then, they have only realized that the promises given by village officials to residents who hand over petok are a form of fraud against farmers (Salim, 2014). This dispute was followed by the establishment of tobacco warehouses on

residents' land without prior permission, plus the people did not get a certificate for the land (KKPK, 2014).

In 1979 or ten years after collecting petok D, farmers only found out that the petok D they had given was misused to attach an application for RtC to the Minister of Home Affairs (Nurhasim, 2011). They were granting Cultivation Rights to PT. Plantation (PTP XXVII) on former land rights to Erfpacht NV. The LMOD was based on the issuance of the Minister of Home Affairs Decree No. 32/HGU/DA/1969 on 5 December 1969 and Decree No. 15/HGU/DA/1970 dated 18 June 1970 (Nurhasim, 2011).

The granting of RtC for ex-Dutch land and private land has long been controlled and cultivated by the people of PT. Plantation XXVII (now PTPN X) in 1969 contradicted the Minister of Agriculture and Agrarian No. 11 of 1962, which regulates the terms and conditions for granting RtC to national private entrepreneurs. The new distribution of RtC is based on ex-plantation land and does not include land cultivated by the people. However, the government gave RtC to PTP XXVII (Rimadani, 2020). The abuse of petok D belonging to farmers by PTP XXVII triggered the destruction of various infrastructures owned by farmers and PTP XXVII, which occurred in 1979, 1994, and 1995 (Badri, Rochwulaningsih, & Alamsyah, 2017).

The Process of the Jenggawah Conflict in 1979 - 1995

The conflict in this period began on 2 June 1979. At that time, a small farmer in Cangkring Baru Village was beaten by PTP employees. The PTP employee insisted on factorizing the land of the sharecroppers. Furthermore, on 4 June 1979, the same riot also occurred in the village of Klompangan (Badri, Wijaya, & Arifin, 2021). This incident peaked in July 1979, marked by the destruction of plants and houses belonging to PTP XXVII and warehouses burning. This incident was accompanied by acts of violence, forcing six platoons of combat troops (Nurhasim, Batubara, & *et al.*). The riot was later secured by helicopter. Eleven farmer leaders are still arrested. Security forces made the arrests and brought the farmer leaders to the Jember District Court and the Surabaya High Court. The trial result was that the farmer leader was found guilty and detained for 13 months. It turned out that during the arrest, there was one person who managed to escape. Then he complained to the Supreme Court, and his request was granted. Thus, the ten farmer members were found not guilty and acquitted of the lawsuits (Nurhasim, Batubara, & *et al.*).

After the 1979 riots, farmers implemented a new strategy by holding internal consolidation. They took steps: (1) an agreement to wait for the 1995 RtC to expire, and (2) while waiting for the RtC to expire, each village involved in the conflict had the right to appoint and send their demands to their two village leaders. The village leaders must consolidate in their area, such as Jenggawah Village, Cangkring Baru, Kaliwining, Sukomakmur, and Lengkong Village, (3) build networks and hold meetings with activists, namely the Legal Aid Institute, to submit a letter of application (Nurhasim, Batubara, & *et al.*).

Farmers made several consolidation efforts to fight for the land that was ex-erfpacht rights by doing several ways, namely: (1) legal application or legal consultation, (2) continued to act consistently, especially the struggle to wait for the 1955 RtC to expire, (3) Time after time, day after day passed until the 25-year waiting period arrived. However, this long-awaited event was, in reality, far from

their expectations. The policy issued by the government extended the RtC permit to PTP XXVII, which began with the decisions of the State Minister of Agrarian Affairs/National Land Agency (BPN) No. 74/HGU/BPN/1994 and number 117/HGU/1995 concerning the extension of RtC to PTP XXVII which was valid until 2013, 2019 and 2020 (Badri, Rochwulaningsih, & Alamsyah, 2017).

The conflict in 1979 was repeated, resulting in a second conflict almost the same as the first one. Finally, hundreds of residents enthusiastically awaited the settlement of the RtC land dispute on 4 May 1995. However, their patience ran out, so they reacted emotionally to this problem, leading to violence again (Nurhasim, Batubara, & *et al.*). The farmers of Jenggawah and Kaliwining again destroyed houses and warehouses in the Dusun Curahwelut, Pancakarya Village, Jenggawah Sub-district, and the Curah Suku and Curah Bateng Hamlets, Kaliwining Village, just as they did in 1979 (Sihaloho, 2008).

The farmers always protest violently because the Jenggawah land conflict has structural vulnerability (Sihaloho, 2008). Therefore, the issue of RtC extension by BPN poses a fundamental legal and structural threat. There are several reasons why this case threatens Jenggawah farmers, including the following (Nurhasim, Batubara, & *et al.*).

1. With the re-enactment of RtC, farmers indirectly live in the shadow of PTP. Even though the farmers have worked on the land, their land is not legally owned so it can be threatened at any time.
2. In the extension of the RtC, it is explained that land assets cover the entire land area in five villages or the equivalent of about 2 thousand hectares, indicating that farmers' lives are in the PTP territory.
3. The contested land is land that is the largest producer of Na Oogst tobacco. It shows that the tobacco belonging to the Residency of Besuki, including Jenggawah, has a significant contribution.

The farmers view that the main threat to their lives is structural, namely the Jember district government and PTP. Jenggawah's farmers agreed to resist the structural pressure (Nurhasim, Batubara, & *et al.*).

There are four sub-districts and seven villages that became the location of the Jenggawah conflict, including Rambli Puji District, Kaliwining Village, Jenggawah District, Cangkring Baru Village and Jenggawah Village, Ajung District, Pancakarya Village, Ajung and Sukamakmur Villages, and Mumbul Sari District, Lengkong Village. Although this conflict area is located in four sub-districts, this conflict is known as the Jenggawah Conflict because conflict and consolidation are more concentrated in Jenggawah District, Jember Regency (Badri, Rochwulaningsih, & Alamsyah, 2017).

In the course of the Jenggawah conflict, some actors took part in fighting for their respective desires. The perpetrators are reflected in several groups, such as primary farmers, groups who agree if farmers are dealing with PTP XXVII (pressure group), labor farmers, and centung. In addition, other actors, such as fictitious farmers, mediators who try to mediate conflicting parties, and the most powerful, namely the state and its apparatus (Sihaloho, 2008).

Sustainability of Agrarian Conflict in Jenggawah 1999-2001

The Jenggawah conflict is not a conflict in the agrarian

sector that is foreign to the ears of the Indonesian people because this conflict has become a public spotlight for the Indonesian people in the 1970s (Sihaloho, 2008). This conflict stems from the disharmony of communication between plantation managers and farmers working on the land. This problem is a problem that often occurs in rural communities because many of them make a living as farmers who are in charge of working on agricultural land.

Not all of these cultivated agricultural lands have clear signs of ownership, one of which is Jenggawah land in the Jember area. The disharmony relationship between farmers and plantation managers began with the issuance of a Decree dated 15 July 1978 from the Board of Directors of PT Perkebunan XXVII, which contained the implementation of RtC arrangements (Arianto, Sarjita, & Supriyanti, 2011). However, this decision surprised the farmers who cultivated the land. They were angry toward the government decision, which gave RtC to a state tobacco plantation company. The company planned to extend its tobacco plantation over the paddy area in the same year. It sparked anger in the community until there was a significant rebellion between them.

Seeing this endless conflict, the government finally decided to hold consultations with the parties involved in this conflict. The mediation process agreed that the company was allowed to use the land, but the owners retained the farmers. This problem ended with the promise of the government to give certificates. The decision to drop land ownership to the people, of course, makes the people rejoice. In getting the land certificate, the farmers are asked to prepare several letters, which will later be used as a sign of 'renaming' the land ownership. The Regent of the Jember sent a letter to FX Soekarno, who served as Director of Land Procurement at Badan Pertanahan Nasional (BPN/the National Land Agency) on 17 June 1998, so that the land registration process could be carried out immediately. On the other hand, farmers are asked to provide the required documents (Badri, Arifin, & Sumartono, 2013).

On the other hand, the company views that they have lost land ownership. The company uses a few people outside the village to terror farmers to express their disappointment. The terror was carried out in various ways, such as throwing stones at the land and destroying farmers' soil and plant (Badri, Arifin, & Sumartono, 2013).

This conflict flared again when Sofyan Raz, President Director of the state tobacco company, stated that "the land of RtC Ajung Gayasan Jenggawah is still in status quo," whereas, since 14 April 1999, the land has been under inventory process. In addition, Sofyan Raz also stated that the Jenggawah land case is still being discussed by the Minister of Home Affairs, Agrarian Affairs, and the Minister of Finance to find the best solution. Sofyan Raz also emphasized that he did not forbid residents to use the land of the former RtC Ajung Gayasan Jenggawah while the company was not using it "we can lend it but do not destroy it." Sofyan Raz opposes the ownership of the land by the farmers.

Joko S. Hafid, the farmer's representative, then reacted firmly. He said the Sofyan statement contradicts the agreement between 25 September and 1 October 1998 (Badri, Arifin, & Sumartono, 2013).

On 5 January 2001, the National Land Agency handed over land ownership rights to as many as 20 farmers covering 25

fields (Badri, Arifin, & Sumartono, 2013). The granting of land ownership rights refers to the Decree of the Regent of the Second Level Region of Jember No. 20-10-1988 regarding the inventory team and the transfer of land ownership rights to smallholders meeting on 22 September 2000 with number 02/BA.PPL/2000 (Badri, Rochwulaningsih, & Alamsyah, 2017). Permitting property rights to farmers is the first step in achieving their long-hidden desires. The community was pleased with the giving of certificates by BPN Jember, considering their long struggle and the many costs they had incurred (Badri, Rochwulaningsih, & Alamsyah, 2017).

The happiness felt by farmers again turned into disappointment. The certificate's contents say that it may not transfer the land to another party. The transfer of land ownership to another party must obtain permission from the Head of the Jember Regency Land Office. The rules contained in this certificate are based on the Decree of the Head of the Jember Regency Land Office dated 8 February 2001, Number 02-420,335,34,2001 (Badri, Arifin, & Sumartono, 2013). The decree shows that the sharecroppers have not yet received a full property right to the land.

Although the certificate contains encumbrances of rights to farmers, the certification process is still being carried out. From 2001-2005, it was noted that land distribution was carried out on 2,210 lands with 2,018 families (KK) as recipients of certificates (Badri, Rochwulaningsih, & Alamsyah, 2017).

Government Policy to Handle Agrarian Conflicts in Jenggawah

Arianto *et al.*'s researchers explain that a conflict stems from the existence of a new policy but causes opposition or rejection by the community, one of which occurs in the land sector (Arianto, Sarjita, & Supriyanti, 2011). Agrarian conflicts are a response to government policies in implementing regulations regarding using natural resources that are considered detrimental and unfair to society (STPN, 2019). Likewise, as explained earlier, the agrarian conflict in the Jenggawah area stems from government policies, especially the 1960 BLOA. So, the government, in producing policies that cause conflict to become a conflict, will be required to have a big responsibility and a significant share in its resolution.

To deal with the problems of the Jenggawah agrarian conflict, the government uses state institutions at the regional and national levels, namely the DPRD, the National Land Agency, and several institutions based on task mandates. Efforts are made through negotiators, mediators, facilitators, and decision-making (STPN, 2019). The National Land Agency provides facilities for the Jenggawah community through the Regent to conduct a conflict resolution discussion. So that in July 1993, a mediation was held between the residents of Jenggawah and PTP XXVII accompanied by the Regent and a special committee formed by the DPRD level II to become the body for considering proposals and suggestions when mediation took place (Hendrayanto, 2003).

The mediation between the three resulted in several considerations and suggestions: giving RtC to PTP XXVII, settlers getting land ownership rights, providing fair cooperation with PTP XXVII, and compensation from PTP XXVII for previous land use, and PTP XXVII being given a cultivation permit. Land under the obligations and

requirements stipulated, namely preserving the environment. However, at that time, both parties disagreed on the discussion results.

Following up on the mediation process, the Head of the National Land Agency postponed the extension of the plantation. In addition, an Integrated Team was formed by the Regent under Decree No. 838 of 1994 to provide education and counseling related to the 1993 mediation discussion to the Jenggawah community. After four years of processing, precisely in October 1998, there was an agreement between farmer representatives and PTP XXVII regarding the contents of the previous mediation, but with additional conditions, namely for seven months within 24 months of the tobacco planted area for the benefit of PTP XXVII which was inventoried (Arianto, Sarjita, & Supriyanti, 2011).

The decision of the cooperation agreement in the form of rights to arable land has not strengthened the condition of the community, so the community wants more concrete steps in the form of land ownership. The demands were met by the Head of the National Land Agency, who said that he would provide a physical record of land ownership. On 1 October 1999, the Decree of the Minister of State for Agrarian Affairs No. 33-VIII-1999 was issued, which contained the cancellation of RtC for PTP XXVII over the plantation area of Ajung Gayasan covering an area of 3,117, 0214 Ha which included 14 certificates of Cultivation Rights. Based on the inventory results, the plots of land to be distributed to sharecroppers amounted to 7959 (Arianto, Sarjita, & Supriyanti, 2011).

Comparative Analysis of Agrarian Conflict in Jenggawah and Kalibakar

The pattern of agrarian conflict in Jenggawah is similar to the land dispute that occurred at the Kalibakar Plantation, Malang Regency, between surrounding farmers and PTPN XII. As in Jenggawah, the root of the conflict in Kalibakar stems from the policy of nationalizing former Dutch plantations into state property (Fauziah, 2018). The two disputing parties have each other's needs. Farmers need land as a place to grow crops and function as settlements, while entrepreneurs, BUMN, and government agencies that are representatives of the state also need land for their reasons. Land disputes occur due to a conflict of interest. The disputing parties feel they have a legitimate and robust right to the disputed land (Mulyani, 2006), such as in the Kalibakar and Jenggawah conflicts.

In the agrarian conflict in Jenggawah, local farmers' anger was caused by granting RtC to PTP XXVII for 25 years. In the Kalibakar land case, the giving of RtC to PTPN XII based on the Decree of the Ministry of Home Affairs on 18 June for a land area of 2,050 was also the cause of the conflict. (Fauziah, 2018)

Both in the case of the Kalibakar and Jenggawah plantations, perception differences became the main factor of the conflict. In the case of Kalibakar, farmers feel that the disputed land is land inherited by their ancestors, but PTPN XII has a different point of view. They consider the people not entitled to land ownership (Fauziah, 2018).

The community in the Jenggawah and Kalibakar cases views that the plantation or PTPN has acted unfavorably towards the community, thereby causing hatred toward PTPN. In Jenggawah, the community considers that PTP XXVII's control over land is detrimental to the people due to

data misuse (Badri, Rochwulaningsih, & Alamsyah, 2017).

In the Kalibakar conflict, people's hatred was caused by the attitudes, behavior, and policies of the plantation corporation, which were very cruel and painful—coupled with the treatment and plantation policies which, according to the community, deviate from the norms and expectations of the people around the plantations. In addition, the presence of plantations does not bring prosperity to the village and its people. However, the plantations consider that what they do follows the established rules. There is a clear difference in perception between the two parties involved in the conflict. According to the community, the plantations only take advantage of farmers employed as laborers with small salaries and seize land belonging to the people. According to plantations, the community is only an employee with the obligation to carry out the rules that have been set (Fauziah, 2018).

Reclaiming by farmers, which in plantation terms is said to be looting, is a movement carried out to solve the problem of the land status of former Dutch plantation RtC with land reform. Because of the unsuccessful struggle of farmers, they put pressure on reclaiming so that their wishes are achieved (Wahyudi, 2010).

In the case of Jenggawah and Kalibakar, both show deviations from the government. The conflict in Kalibakar was triggered by the Ministry of Home Affairs Decree that granted RtC to PTP XXIII, and the remaining land of 2,770.30 ha became the object of government land reform and was distributed to the local community. However, after measurements were made for the issuance of RtC certificates, it turned out that there were only 1936,733 hectares of RtC certificates Number 1 and 2, which until 2013, were still valid. It has sparked community demands for the return of the Kalibakar Plantation RtC land (Mulyani, 2006). Meanwhile, in the Jenggawah case, the deviation was seen in the government's decision to extend the RtC for 25 years to PTP XXVII based on the decree of the National Land Agency Number 74/HGU/BPN/1994 and Number 117/HGU/1995. The farmers regretted this decision, they were disappointed because they had waited 25 years for the RtC to expire, and they wanted the land ownership rights on the RtC land whose validity period had passed, but the government approved for the RtC to be extended to PTP XXVII (Badri, 2018).

In the New Order era, the process of land conflict in Jenggawah, Jember Regency, has similarities with the process in Kalibakar, Malang Regency. The equation lies in the aspect of the movement. Both conflicts contain acts of violence. In July 1979, Jenggawah farmers took action by destroying crops, houses, and burning warehouses (Nurhasim, Batubara, & *et al.*). As the Kalibakar farmers did in 1992-1993, they jointly carried out looting and resistance movements to reclaim their land rights (Wahyudi, 2010).

Another similarity lies in the actors involved. The Jenggawah and Kalibakar conflict focused their movements on the essential or central peasants. In addition, there are several actors in common, namely (1) farmer leaders and (2) pressure groups that support farmers, which contain activists or social organizations. However, there are also different actors between the Jenggawah and the Kalibakar conflict. More specifically, the Jenggawah conflict involved parties such as (1) the state and its apparatus, (3) the mediation team, (4) PTP XXVII support groups, namely farm laborers, supervisors, and contenders, and (5) fictitious farmers

(Nurhasim, Batubara, & *et al.*). Meanwhile, the Kalibakar conflict received support from a very influential group because it helped network expansion, namely former guerrilla soldiers (Wahyudi, 2010).

In addition, the Jenggawah conflict with the Kalibakar conflict also has other differences regarding the background of the movement's emergence. Jenggawah farmers commit acts of violence due to four factors. First, the issuance of a Decree dated 15 July 1978, No: 41/SuKep/1978 by the Board of Directors of PT Perkebunan XXVII to organize the arrangement of rights to work on the RtC land (Arianto, Sarjita, & Supriyanti, 2011). Second, PTP XXVII's desire to increase tobacco production. Third, land narrowing causes crop yields to decrease (Badri, Arifin, & Sumartono, 2013). Fourth, the government extended the RtC permit to PTP XXVII (Badri, Rochwulaningsih, & Alamsyah, 2017). On the other hand, the Kalibakar peasant resistance was motivated by five factors. First, there are different views on land status and deforestation. Second, a growing issue states that the plantations allow theft and logging in the titi soro forest area. The third is the lack of sensitivity of plantation employees in dealing with environmental problems. Fourth, business-oriented tendencies in managing plantations. Fifth is the failure of social control to stop farmers' intention to plunder (Wahyudi, 2010).

Entering the reformation era, more precisely in 1998, it turned out that these two land conflicts were continuing. The year 1998 in Indonesia is known as the term of the Reformation period. The Reformation period itself is often associated with the fall of the old order era into the new order or what is also known as the reform era. These changes invited many controversies, which turned out to have an impact on all aspects, one of which was the Indonesian agriculture sector. During this reform period, there were interesting facts: (1) the farmers did not have the opportunity to own land, and (2) the increasing number of agricultural conflicts, which were followed by acts of violence (Badri, Rochwulaningsih, & Alamsyah, 2017).

The Jenggawah case in Jember and the Kalibakar case in Malang are examples of agricultural problems that are already familiar to Indonesian people. This case involves the farmers, the government, and the private sector. The similarities between these two conflicts in the reform era are (1) the form of their struggle that both used the peaceful route through sending letters to related parties to resolve this problem (Badri, Rochwulaningsih & Alamsyah, 2017). (2) letters that the government has not heeded. It is evidenced by the government's response, which is equally more concerned with the private sector than the submissions given by farmers. (3) the support of external parties from farmers who come from the community component, bureaucracy, NGOs, and students also support farmers to achieve their demands (Wahyudi, 2010: 27). However, in the Jenggawah case, the role of external support is not as visible when compared to the Kalibakar case in Malang, although in the end the Kalibakar case was taken back to the farmers as a whole.

As a policy maker, supervisor, and conflict resolution regarding rural affairs, the government has a dilemma in taking the best steps to resolve agrarian conflicts, especially in Kalibakar (Wiradi, 2009). In the case of Kalibakar, it is considered that the government is less intense in resolving agrarian conflicts, especially the executive institution. After the fall of the New Order government, the people of

Kalibakar began to carry out a movement demanding agrarian reform of the arable lands that had been controlled since independence.

The community formed Papanjati as a media to consolidate the community starting from academics, NGOs, students, and farmers. Papanjati demanded an effort to resolve the conflict by the DPRD as a regional representative institution. So, a special committee was formed headed by the Regent, but the Regent as chairman experienced a corruption scandal that hindered the course of conflict resolution (Hamdani & Ichsan, 2021). In contrast to efforts to resolve agrarian conflicts in Jenggawah, where the Regent plays a vital role as a third party in carrying out the mediation process between residents and parties (STPN, 2019) so that conflict resolution in the Jenggawah area is faster than in the Kalibakar case.

In Kalibakar plantation, there are different views between farmers and the government. Based on data, *Badan Pertanahan Nasional* (BPN/National Land Agency) considers that land ownership is not yet clear. Based on the BLoA 1960, it is clear that the state will take over land ownership to become a state asset. However, the community views that land ownership is held by residents so that they have the right to make demands to own the land. However, the land of Kalibakar remains state property. The farmers' need for ownership rights cannot be carried out by BPN (Hamdani & Ichsan, 2021).

Meanwhile, in the case of Jenggawah, ownership documents have historically been held by the community since the colonial period. So can be realized that people's demands for land ownership. In 1998 BPN promised to give ownership certificates as a step to resolve conflicts (Hendrayanto, 2003).

In every land conflict, resistance must come from NGOs, students, trade unions, and farmers. Their assistance takes various forms, starting from physical resistance by forming communities and legal channels (litigation) to obtain the legal legitimacy of the land (Wiradi, 2009). The resistance differs in space and time. In the New Order era, the resistance was carried out personally. However, after the New Order collapsed in 1998, various groups began to unite in demanding agrarian reform for land claims (Hamdani & Ichsan, 2021).

Likewise, in the cases of Kalibakar and Jenggawah, resistance actors use physical and legal channels to maintain and demand legitimacy because entrepreneurs often carry out acts of intimidation and destruction of houses and people's land (Mohammad *et al.*, 2001). So that in general, the agrarian conflict resolution during the reform period was more intense and open than before (Rahmadani, 2015). In addition, more intensely used the legal approach during the reformation period to resolve conflicts because the Jokowi administration supported the agrarian reform movement through the Nawacita program (Hamdani & Ichsan, 2021).

4. Conclusion

The agrarian conflict in the Jenggawah sub-district, Jember Regency, stems from the farmers' disappointment with the government that granted the land rights of former erfpacht rights during the Dutch East Indies Government to PTP XXVII. Farmers were forced to hand over pethok D with the promise that they would replace the certificates and redistribute land. Still, in reality, the residents did not get the land certificates as promised, and the plots of land

distributed were considered too narrow. Then the plantations also set up tobacco warehouses on the residents' grounds without their permission.

The agrarian conflict in Jenggawah peaked in 1979 and 1995. The riots around June 1979 started with a beating by PTP employees against a small farmer. Farmers burn warehouses and destroy crops and houses belonging to the company. Farmers destroyed houses and warehouses in several villages in 1995. This destruction was the aftermath of the government's decision to extend the RtC of the Jenggawah plantation to PTP XXVII, which should have expired on 4 May 1995. The protests carried out by the farmers were accompanied by violence. The farmers felt threatened by the decision to extend the RtC because they live on land under the control of PTP, and the land is in dispute.

In the reform era, the Jenggawah conflict continued in 1999, which began with company disappointment with the government's decision to impose land ownership rights on the people. The company believes that the land in the Ajung Gayasan plantation is in the status quo and that farmers are the only borrowers of land granted RtC. Giving land certificates to the people is a conflict resolution. However, the polemic is still ongoing because, in 2001, it turned out that the certifications that had been distributed contained encumbrances of rights that limited the rights of farmers to land ownership.

During the New Order era, the government tried to resolve conflicts through state institutions at the regional and national levels, such as *Dewan Perwakilan Rakyat Daerah* (DPRD/ Regional People's Representative Assembly) and BPN, as well as several other state institutions by negotiating, mediating, and making decisions as facilitators. In 1993 there was mediation between the conflicting parties and the Regent assistance and a special committee formed by the district parliament. Then the Regent started an integrated team whose task was to provide education and counseling to the Jenggawah community regarding the mediation results.

The conflict in Jenggawah has a similar pattern to the Kalibakar Plantation in the southern Malang area, which also involved local farmers with PTP XII fighting over land ownership of former Dutch plantations which had been carried out in the nationalization process. The two conflicts occurred due to several things, such as differences in perceptions between the conflicting parties and the conflicting interests of the two parties. The conflict process in these two areas involved violence, such as burning and looting, which involved the roles of farmers, the private sector, and the state. In the Kalibakar conflict, the government's role in dispute resolution seems less intense, in contrast to Jenggawah, which involves the district head's role intensely.

5. References

1. Abdurrahman. *Tebaran Pikiran Mengenai Hukum Agraria*. Bandung: Alumni, 1995.
2. Amri MU, Yuwono T, Alfirdaus LK. (t.thn.). Gerakan Perlawanan Masyarakat Urutsewu Kebumen terhadap Penyerobotan Lahan oleh TNI. *Journal of Politic and Government Studies*. 2022; 11(2):34-58. URL: <https://ejournal3.undip.ac.id/index.php/jpgs/article/view/33299/0>
3. Antoro KS. *Anatomi Konsep Penyelesaian Konflik Agraria: Studi Perbandingan Antara Ranah Kebijakan Dan Ranah Perjuangan Agraria*. Bhumi. 2013; 37:28-48. Doi: <https://doi.org/10.31292/jb.v0i37.150>
4. Arisputra, Muhammad Ilham. *Reforma Agraria di Indonesia*. Jakarta Timur: Sinar Grafika, 2015.
5. Cahyati DD. *Konflik Agraria di Urutsewu: Pendekatan Ekologi Politik*. Yogyakarta: STPN Press, 2014.
6. Cahyati DD. *Analisis Konflik Ekologi Politik Di Era Disentralisasi Sumber Daya Alam. Studi Kasus: Konflik Penambangan Pasir Besi Di Urutsewu Kabupaten Kebumen*. Thesis, Universitas Indonesia. Depok: Fakultas Ilmu Sosial dan Ilmu Politik, 2011.
7. Emirzon J. *Alternatif Penyelesaian Sengketa di Luar Pengadilan Negosiasi, Mediasi, Konsiliasi Arbitrase*. Jakarta: PT Gramedia Pustaka Utama, 2001.
8. Herwati SR. *Petani Melawan Perkebunan: Perjuangan Agraria di Jawa Tengah*. Bhumi. 2013; 37:142-156. Doi: <https://doi.org/10.31292/jb.v0i37.155>
9. Idamatussilmi. *Perlindungan Hukum dan HAM terhadap Kepemilikan Tanah di Kawasan Pesisir Urutsewu Kabupaten Kebumen*. Thesis, Universitas Islam Negeri Profesor Kiai Haji Saifuddin Zuhri Purwokerto, Fakultas Syariah, Purwokerto, 2021.
10. Kamaruddin, Syamsu A. *Pemberontakan Petani Unra 1943: Studi Kasus Mengenai Gerakan Sosial di Sulawesi Selatan pada Masa Pendudukan Jepang*. *Jurnal Makara, Sosial Humaniora*. 2012; 16(1):19-35. URL: <https://lontar.ui.ac.id/detail?id=20441497&lokasi=lokal>
11. Lutfi, Ahmad Nashih. *Tanah Pesisir Urutsewu: Tanah Milik, Tanah Desa atau Tanah Negara? Konflik Tanah Pesisir di Kebumen, Jawa Tengah*. Sajogyo Institute: Bogor, 2014.
12. Luthfi AN. *Sejarah dan Revitalisasi Perjuangan Pertanian Nahdlatul Ulama Melawan Ketidakadilan Agraria*. *Bhumi Jurnal Agraria dan Pertahanan*. 2017; 3(2):145-159. Doi: <https://doi.org/10.31292/jb.v3i2.121>
13. Matondang, Erlinda. *Agrarian Conflict and Disintegration: Challenges For Indonesia's National Security*. *Jurnal Pertahanan Bela Negara*. 2019; 9(3):33-52. URL: <https://jurnal.idu.ac.id/index.php/JPBH/article/view/643/JPBHV9N3EA3>
14. Mudjiono. *Alternatif Penyelesaian Sengketa Pertahanan Di Indonesia Melalui Revitalisasi Fungsi Badan Peradilan*. *Jurnal Hukum IUS QUIA IUSTUM*. 2007; 14(3). Retrieved from: <https://journal.uin.ac.id/IUSTUM/article/view/1087>
15. Muhajirin RM. *Konflik Agraria di Jawa dan Penyelesaian Non- Litigasi*. Semarang: LBH Semarang, 2008.
16. Mustafa, Hanif Risa. *Pergolakan Agraria 1965-1966 di Banyuwangi*. *Heritage: Journal of Social Studies*. 2020; 1(1):61-72. Doi: <https://doi.org/10.35719/hrtg.v1i1.5>
17. Negara, Yusuf Candra. *Resolusi Konflik Lahan di Kecamatan Buluspesantren Kabupaten Kebumen*. *Jurnal Damai dan Resolusi Konflik*. 2019; 5(1). URL: <https://jurnalprodi.idu.ac.id/index.php/DRK/article/view/352>
18. Pandoyo A, Dkk. *Seni dan Sastra untuk Kedaulatan Petani Urutsewu: Etnografi Wilayah Konflik Agraria di Kebumen*. Yogyakarta: Literasi Press, 2015.

19. Perangin E. Hukum Agraria di Indonesia, Suatu Telaah Dari Sudut Pandang Praktis Hukum. Jakarta: CV Rajawali, 1983.
20. Pramatha IN. Gerakan Petani Abad Ke-19: Studi Kasus Gerakan Petani Pagilaran. *Social Studies*. 2015; 3(1):13-22. URL: <https://ojs.mahadewa.ac.id/index.php/socialstudies/article/view/419>
21. Qorni WA. Konflik Urut Sewu dan Upaya Pemerintah Kabupaten Kebumen Dalam Penyelesaiannya. *Jurnal Kewarganegaraan dan Hukum*. 2016; 5(3):1-9. URL: <https://journal.student.uny.ac.id/ojs/index.php/civics/article/view/3800>
22. Rahardjo S. Ilmu Hukum. Bandung: Alumni, 1982.
23. Ramadhani, Rahmat. Dasar-Dasar Hukum Agraria. Medan: CV. Pustaka Prima, 2019.
24. Riyanto, Agus. Peran Negara Dalam Penyelesaian Konflik Agraria (Studi Kasus Kampung Tua/Nelayan di Atas Hak Pengelolaan Badan Pengusahaan Batam). *Jurnal Selat*. 2017; 5(1):105-122. URL: <https://ojs.umrah.ac.id/index.php/selat/article/view/291/254>
25. Roeroe SD. Penegakan Hukum Agraria dan Penyelesaian Sengketa Pertahanan Dalam Proses Peradilan. *Jurnal Hukum Unsrat*. 2013; 1(6):100-113. ISSN 1410-2358. URL: <http://repo.unsrat.ac.id/439/>
26. Santoso U. Hukum Agraria dan Hak- Hak Atas Tanah. Jakarta: Kencana, 2007.
27. Sitorus FM, *et al.* Lingkup Agraria dalam Menuju Keadilan Agraria: 70 Tahun Gunawan Wiradi. Bandung: Yayasan AKATIGA, 2002.
28. Suhelmi A. Pemikiran Politik Barat: Kajian Sejarah Perkembangan Pemikiran Negara, Masyarakat, dan Kekuasaan. Jakarta: Gramedia Pustaka Utama, 2001.
29. Sukmana, Oman. Konsep dan Teori Gerakan Sosial. Intrans Publishing: Malang, Jawa Timur, 2015.
30. Susanto. Konflik dan Resolusi Konflik: Pendekatan Analytical Hierarchy Process dalam Konflik Pertahanan di Urutsewu, Kebumen. *JIP: Jurnal Ilmiah Ilmu Pemerintahan*. 2019; 4(1):59-74. Doi: <https://doi.org/10.14710/jiip.v4i1.4783>
31. Susetio, Wasis. Disharmoni Peraturan Perundang-Undangan di Bidang Agraria. *Lex Jurnalica*. 2013; 10(3):135-147. URL: <https://ejournal.esaunggul.ac.id/index.php/Lex/article/view/361>
32. Ubaidillah. The Role of Kyai In Contentious Politics Concerning Land Dispute In Urutsewu Kebumen. *Qudus International Journal of Islamic Studies*. 2014; 2(1):64-81.
33. Wiradi, Gunawan. Seluk Beluk Masalah Agraria Reforma Agraria dan Penelitian Agraria. Yogyakarta: STPN Press, 2019.