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license**LAND CONTESTATION AND IDENTITY: AGRARIAN
CONFLICT BETWEEN MALUKU INDIGENOUS
COMMUNITIES AND STATE AUTHORITIES IN A
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Indonesia*Correspondence E-Mail: jemleiwakabessy@gmail.comDOI: <https://doi.org/10.30598/baileofisipvol1iss3pp317-331>**ABSTRACT**

This article discusses agrarian conflicts between indigenous communities in Maluku and state authorities, focusing on a case study involving a conflict between the indigenous community of Negeri Laha and the Indonesian Air Force (TNI AU) as adjudicated by the Supreme Court of the Republic of Indonesia in 2012. Employing a sociological approach, the study analyzes the root causes, conflict processes, and resolution efforts. Qualitative research methods, including in-depth interviews and field observations, were utilized for data collection, along with literature analysis comprising articles, books, and the aforementioned Supreme Court ruling. The article asserts that resolving agrarian conflicts in Maluku can serve as a model for addressing similar conflicts in the region. In addition to elucidating the status of land ownership and management among indigenous communities in Maluku, the article identifies triggers and resolution processes for agrarian conflicts. Furthermore, it emphasizes the importance of preventing agrarian conflicts by involving indigenous communities in strategic project development and resolving conflicts through customary processes and dialogue. Conflict prevention is prioritized to mitigate losses, both in terms of human lives and property. Violence and threats against indigenous communities must be avoided to prevent resistance or escalation of conflicts.

Keywords: Agrarian Conflict, Indigenous Communities, Conflict Resolution, Supreme Court Ruling, Land Ownership

INTRODUCTION

Agrarian conflict in Indonesia has increasingly become a significant issue over the years (Krismantoro, 2022, 2023; Ramadhan, 2023). This phenomenon results from the complexity of interactions among various factors, including changes in land policies, industrial and mining expansion, and inequality in access to natural resources. Data from the Agrarian Reform Consortium (KPA) revealed that in 2023, Indonesia experienced at least 241 cases of agrarian conflict (Izka et al., 2024). These conflicts spread across an area of 638.2 thousand hectares and affected approximately 135.6 thousand households. Despite a decrease in the area of conflict, the number of agrarian conflict cases increased compared to the previous year. The rise in the number of agrarian conflicts has wide and serious implications for Indonesian society (Earlene & Djaja, 2023; Harold & Wirotto, 2023). These conflicts not only affect agricultural and land aspects

but also have profound impacts on the security, welfare, and prosperity of communities. According to research by the Centre for Strategic and International Studies (CSIS) Indonesia, agrarian conflicts have negatively impacted agricultural productivity, leading to a decrease in farmers' income, and increased uncertainty and social tension in various regions (Bingen et al., 2023; Jones et al., 2023). Additionally, agrarian conflicts pose a threat to food sovereignty and national food security (Sujito & Ghofur, 2022). The increasing conversion of agricultural land into industrial and urban settlement areas reduces the available land for food production, which can ultimately result in food supply instability and increased dependence on food imports (Schreer & Padmanabhan, 2020).

Shani et al. (2024) have provided deep insights into the root causes of agrarian conflict in Indonesia, particularly in the context of unclear land ownership status. Furthermore, Septiyanto et al. (2023)) stated that this phenomenon has been identified as one of the main triggers of agrarian conflict in Indonesia. This is reinforced by De Jong et al., (2021) and Ginting (2020) who emphasized factors contributing to the ambiguity of land ownership status, such as weaknesses in the land registration system and legal conflicts related to land claims. Additionally, Dharmawan et al. (2021) revealed the significant impact of unclear land ownership status on the security and welfare of local communities. Communities often face vulnerability to forced evictions and conflicts with parties claiming ownership of the land, which substantially affects social and economic stability (Bakker, 2023; Wahanisa et al., 2021).

In addition to the ambiguity of land ownership status, Grasse (2022) highlights the significant role of industrial expansion in exacerbating agrarian conflicts in Indonesia. In this context, the Omnibus Law on Job Creation (UU Cipta Kerja) provides ease for investors to invest in Indonesia, yet often without seriously considering potential agrarian conflicts arising from the development of industrial infrastructure (Abdulgani et al., 2023). Dharmawan et al. (2020) added that factors driving industrial expansion, as well as its impacts on agrarian conflicts in sectors such as palm oil plantations, mining, and other industries. Additionally, Pasaribu et al. (2023) explored conflict mitigation strategies applicable in the context of industrial expansion, including the development of compensation mechanisms for affected communities and increased stakeholder engagement in decision-making processes. Equally important, Kerebungu et al. (2020) also highlight inequality in access to natural resources as a root cause of agrarian conflicts in Indonesia. This inequality provides a more comprehensive understanding of the factors contributing to agrarian conflicts and their impacts (Hendra et al., 2023). Furthermore, Priyatno et al. (2023) emphasize the importance of developing strategies to enhance the justice of natural resource distribution, including the development of land redistribution policies and empowering local communities in natural resource management.

In addition, there are studies analyzing the dynamics of agrarian conflicts occurring in various regions of Indonesia, including Sumatra, Kalimantan, Sulawesi, and Papua (Al-Fadhat, 2022; Diprose & Azca, 2020; Habibi, 2022; Halomoan et al., 2023; Hellmundt et al., 2024; Kenny et al., 2020; Leasiwal et al., 2022; Santika et al., 2020). These conflict dynamics reflect the

complexity of interactions among various social, economic, and political factors influencing agrarian conflicts (Santika et al., 2020). In this context Leasiwal et al., (2022) identify the crucial role of actors involved in the conflicts, including the government, companies, local communities, and NGOs. The government's role in agrarian conflict dynamics includes land policy formulation, investment regulation, and law enforcement. Hellmundt et al. (2024) highlight how specific policies, both at the central and regional levels, can influence the dynamics of agrarian conflicts. Additionally, the role of companies, especially in sectors like mining and plantations, is also a focus of study. Company expansion into resource-rich areas often triggers agrarian conflicts with local communities regarding land claims and traditional rights (Habibi, 2022; Kenny et al., 2020). Furthermore, Halomoan et al. (2023) emphasize the role of local communities in agrarian conflict dynamics. Local communities often act as key actors in advocating for their land rights and face challenges in defending their territories from encroachment by others. In this regard, Diprose & Azca (2020) state that NGOs also play a crucial role in advocating for and supporting local communities in addressing agrarian conflicts, as well as monitoring policy implementation and dispute resolution processes.

Furthermore, there are studies identifying various efforts in resolving agrarian conflicts in Indonesia (Arsyad et al., 2020; Dhiaulhaq & McCarthy, 2020; Fisher & van der Muur, 2020; Maring, 2022; Nurrochmat et al., 2020; Rustiadi & Veriasa, 2022). One of the main efforts is through land policy reform to improve clarity on land ownership status and legal protection for local communities (Nurrochmat et al., 2020). This reform includes improving the land registration system, simplifying land registration procedures, and enhancing transparency in land ownership (Arsyad et al., 2020; Maring, 2022). With better clarity on land ownership status, it will reduce uncertainty and conflicts related to land claims (Rustiadi & Veriasa, 2022).

In addition to policy reform, increasing community participation and consultation in decision-making regarding land use and management are also considered crucial steps in minimizing agrarian conflicts in Indonesia (Dhiaulhaq & McCarthy, 2020). Active participation of communities in decision-making processes will allow them to have a voice in setting policies that affect their daily lives and minimize the risk of conflicts arising from dissatisfaction or injustice in land management (Maring, 2022; Rustiadi & Veriasa, 2022).

Furthermore, Nindyatmoko et al. (2022) add that strengthening the capacity of law enforcement and security institutions to effectively and fairly handle agrarian conflicts is crucial in conflict resolution efforts. This involves training and mentoring for legal and security personnel in handling agrarian conflict cases, as well as ensuring independence and fairness in the legal process (Hellmundt et al., 2024; Kenny et al., 2020). With enhanced capacity, law enforcement and security institutions can provide prompt and appropriate responses to agrarian conflicts and prevent escalation of violence (Schreer & Padmanabhan, 2020).

Maluku, as one of the regions in Indonesia, exhibits a significant level of severity in agrarian conflicts. Data released by the Agrarian Reform Consortium (KPA) notes that Maluku is one of the main focuses of agrarian conflicts, especially related to national strategic projects

(PSN), such as nickel mining. For example, the Maluku region and other PSN projects such as the Rempang Industrial Area, Wadas, Mandalika, Kertajati, and several nickel mining projects in Sulawesi have recorded 105 cases of agrarian conflicts during the period 2020-2023. Additionally, in Maluku, there are many potential latent agrarian conflicts caused by unclear land ownership, as well as land owned by individuals post-Maluku conflict. Furthermore, there have been agrarian conflicts between the indigenous community of Laha and the Indonesian Air Force in 2010. This conflict was ultimately resolved with a decision from the Supreme Court of the Republic of Indonesia Number: 18/G/2012/PTUN.ABN.

This article aims to analyze sociologically the agrarian conflict between the indigenous community of Laha and the Indonesian Air Force (TNI AU) in Maluku. The article presents arguments that the conflict resolution method between the indigenous community of Laha and the TNI AU in Maluku could serve as a model for resolving agrarian conflicts in the region. It will discuss the status of customary land ownership and management in Maluku, as well as the triggering factors, conflict process, and resolution process of agrarian conflicts. However, the article emphasizes that preventing agrarian conflicts is prioritized over resolution, as prevention can prevent losses in terms of both lives and property. Proposed prevention efforts include involving indigenous communities in every stage of strategic project development and resolving issues through customary processes and consultations. Violence and threats against indigenous communities should be avoided, as they can trigger resistance or potential exacerbation of conflicts.

RESEARCH METHOD

This research adopts a qualitative research approach to analyze the agrarian conflict between the indigenous community of Negeri Laha and the Indonesian Air Force (TNI AU) in Maluku. This approach is suitable for understanding holistically the perceptions, attitudes, and experiences of individuals and groups involved in the conflict (Denzin & Lincoln, 2018). Data collection is conducted through two main methods, namely in-depth interviews and field observations. In-depth interviews are conducted with representatives from the indigenous community of Negeri Laha and the TNI AU, allowing researchers to gain deep insights into their perspectives and experiences regarding the agrarian conflict (Fontana & Frey, 2019). Additionally, field observations provide an opportunity to directly observe the dynamics of the conflict, interactions between parties, and the social and cultural contexts influencing the conflict (Ridder, 2018).

Data analysis is conducted using a qualitative approach, involving thematic analysis of interview and observation data. The collected data are analyzed inductively to identify patterns, themes, and relationships emerging in the context of agrarian conflicts in Maluku. Furthermore, literature analysis is conducted to enrich the understanding of agrarian conflicts, considering the views of experts and relevant decisions from the Supreme Court of the Republic of Indonesia

related to the conflict cases.

The results of data analysis from various sources are used to develop a comprehensive understanding of the dynamics of agrarian conflicts in Maluku and to formulate recommendations for their resolution. Interpretation of the results is done by considering various perspectives involved in the agrarian conflict, allowing researchers to present comprehensive and detailed findings (Creswell, 2017). The research methods used can significantly contribute to understanding and addressing agrarian conflicts in Maluku, and provide a basis for further research in this field.

RESULTS AND DISCUSSION

***Dati* Land: Ownership Status and Management of Customary Land in Maluku**

The customary land for indigenous communities serves as a central entity in their social, economic, and cultural life. Customary land encompasses residential areas, agricultural fields, and burial grounds. Moreover, customary land forms the existential basis for the identity and sustainability of indigenous communities. The utilization of customary land by indigenous communities is not limited to practical daily needs but also includes spiritual and traditional dimensions that bind them to their ancestral land. In the Ambon Lease region (Ambon Island, Haruku Island, Saparua Island, and Nusalaut Island), customary land generally falls under a ownership system known as “*petuanan*” (*beschikkingsrecht*), acquired from the local village or community. Also known as “*ulayat land*,” ownership rights over customary land in the Ambon context fall under the category of “non-free state land” (*niet vrijlandsdomein*), indicating administrative control by the colonial government or local authorities.

The *petuanan* rights held by a community not only encompass land on the mainland but also extend to forests, rivers, and all natural resources. In the Ambon Lease region, consisting of islands, *petuanan* rights also extend to coastal waters up to the whitewater boundary where the seabed is still visible. However, over time, some of the land that is part of these *petuanan* rights has slipped from the direct control of the related communities due to the emergence of individual ownership rights or other rights stronger than *petuanan* rights.

During the early colonial period, indigenous communities did not fully feel the negative impacts of detrimental land policies because the primary focus of Western powers at that time was on the spice trade. However, over time, Western traders began to interfere in political affairs. As a result, the Dutch East Indies Government was formed. Under Dutch colonial rule, land owned by Indonesian communities was seized and utilized for government interests. Land law policies at that time were highly unfair, with all legal regulations aimed at the benefit and interests of the government. This led to a land acquisition process following the capitalist land model in the archipelago. Similar conditions occurred during the Japanese occupation of Indonesia, as both governments, whether Dutch East Indies or Japanese occupation, relied on imperialistic ideas.

During colonial times in Maluku, there were fundamental differences in the control and ownership of customary land by the Dutch government. This is reflected in the different treatment of *petuanan* lands in the region. The agrarian legal history in Indonesia can be divided into two main periods: pre-independence and post-independence. The pre-independence period is divided into two sub-periods: first, before the implementation of the Agrarische Wet in 1870, and second, after the implementation of the Agrarische Wet until the Proclamation of Independence. Whereas the post-independence period began in 1945 and is divided into two sub-periods: the period before the Basic Agrarian Law of 1945 and the period after.

Law Number 5 of 1960 concerning the Basic Agrarian Principles issued on September 24, 1960, became a significant milestone in Indonesian agrarian history. Previously, during the Dutch East Indies colonization since 1815, the legal conditions, especially civil law, were dualistic, with customary law as civil law for the indigenous population, while the Dutch colonial subjects were subject to civil law brought from their home country. During the pre-independence period, especially before the implementation of the Agrarische Wet, regulations were governed by the Dutch East Indies colonial government in the form of the RR (Regerings-Reglement) of 1855. Initially, the RR consisted of three articles, but with the addition of five articles by the Agrarische Wet, Article 62 of the RR then became Article 51 of the IS (*Indische Staatsregeling*).

The emergence of land ownership rights, eventually leading to individual ownership, is the result of a lengthy process. Arbitrary actions often occur in the process of acquiring and using land rights, including the right to benefit from the land. When the benefits or profits from long-standing land can be transferred to others without significant obstacles, and the community does not disrupt those rights, the initial process of forming land ownership rights begins. Land ownership rights are restricted by communal rights, where community members have the right to fully control the land. However, these rights are still constrained by several factors, including indigenous customary rights, other land-owning interests, and customary regulations such as the obligation to obtain permission to use the land. Individuals in legal communities have the right to gather forest products, hunt wild animals, harvest wild tree products, cultivate and process land sustainably, and manage land.

In the customary society system of Maluku, in addition to individual rights to land ownership, there is the concept of *Dati* land, which plays a significant role. *Dati* land can be considered as land owned or claimed by certain lineages within the indigenous community. The concept of *Dati* land also includes rights and obligations to regulate the use and utilization of land and its transfer to others. The authority over *petuanan* rights to *Dati* lands is still evident in the process of appointing *Dati* heads, *Tulung Dati*, and in all legal actions related to land and crops, which require approval from the Saniri Negeri to be valid.

Dati land, as one form of customary land ownership in Maluku, has unique and complex characteristics. *Petuanan* rights are an important aspect of this land ownership system, where control over customary land is not only limited to individuals but also involves the *Negeri*, *Soa*,

and *Mata Rumah*. These *petuanan* rights govern the relationship between individuals and the community with the customary land, making ownership of *Dati* land not only an individual right but also a collective responsibility to preserve and manage the land.

In addition to *petuanan* rights, hereditary inheritance also influences the way *Dati* land ownership is structured in Maluku. The ownership of *Dati*/Customary land is passed down through generations within the *Dati* family, meaning that land ownership cannot be transferred to others or bought and sold. This indicates a strong attachment between *Dati* land and lineage and family traditions, which have been intertwined for years within the Maluku indigenous community.

In its management, the customary law community in Maluku has the freedom to determine the use of customary lands for their needs. However, this collective use of land must be regulated collectively and with the approval of the rightful authorities, such as the Raja or *petuanan* holders. Such management principles emphasize that *Dati* land ownership in Maluku is not limited to individuals but involves the entire related customary law community.

Despite its uniqueness and distinctiveness, the status of *Dati* land ownership in Maluku still faces several challenges. One of them is the lack of payment of land taxes (*Dati*/native land taxes) by landowners in some areas of Maluku, such as West Seram Regency, especially Taniwel and Taniwel Timur. This indicates that the management of *Dati* land in some regions of Maluku still requires serious attention in terms of legal certainty and fair utilization for all involved communities. By deeply understanding the aspects influencing *Dati* land ownership, efforts can be made to improve the management of customary lands in Maluku.

Land Contestation and Identity: Agrarian Conflict between the Indigenous Community of Negeri Laha and the Indonesian Air Force in Maluku

The conflict between the indigenous community of Negeri Laha and the Indonesian Air Force (TNI AU) is the result of fundamental disagreements stemming from differing perceptions of land ownership. For the indigenous community of Negeri Laha, the land they claim as Customary Land is part of their ancestral heritage, recognized and protected by Law No. 39 of 1999 concerning human rights and Law No. 19 of 2014 concerning customary land. The customary governance system they adhere to, led by a king and the Saniri Negeri staff, is part of their cultural identity, evidenced through customary symbols such as the Baileo, sacred stones, and Soa. On the other hand, according to the Indonesian Air Force, their ownership of the land is based on the claim that it was seized as war booty from the Japanese colonizers. They view themselves as serving the nation's goals, shaped by state policies, and tasked with securing state assets. The conflict between the two parties is not only manifest but also latent, as each party holds strong beliefs in their land ownership claims.

Based on these fundamental differences in understanding and ideology, both parties in the conflict, namely the indigenous community of Negeri Laha and the Indonesian Air Force, manifest their existence through different attitudes and behaviors. For the indigenous

community of Negeri Laha, customary land holds complex meanings: as a symbol of collective identity, power, and livelihood. Therefore, they insist on defending and reclaiming the land, using various means they have employed. Despite mediation efforts by government authorities, such as the Governor, Mayor, and members of the Regional Representative Council, and various solutions proposed, these efforts have not yielded satisfactory results.

The differing interpretations of land ownership rights and the history of customary land have sparked resistance from both sides. The Indonesian Air Force (TNI AU), as a representative of the state, feels a responsibility towards the land because, as state officials, they are considered to have full legitimacy to control and safeguard the area. The Supreme Court Decision Number 18/G/2012/PTUN.ABN strengthened the TNI AU's view of their sovereignty over the land, triggering a strong reaction from the indigenous community of Negeri Laha. They feel that the decision reaffirms an injustice that is not in their favor, thus creating a peak of resistance against the social reality they face.

The dissatisfaction felt by the indigenous community of Negeri Laha has led to resistance in various forms. A series of protests were carried out as a form of expression of disagreement with actions deemed to violate their rights. The climax occurred in 2010 when a violent incident took place at the Negeri Laha office, where a resident was assaulted by members of the TNI AU. This incident was followed by a series of retaliatory actions from the indigenous community of Negeri Laha when the National Land Agency (BPN) team, along with the TNI AU, attempted to verify the boundaries of land claimed by the TNI AU based on the Supreme Court decision. BPN officials conducting the verification were pelted with stones, resulting in a victim's death a few days later.

Although the indigenous community of Negeri Laha tends to favor non-violent means in their struggle, threats still arise from both sides. These threats are expressed through various forms of communication indicating tension between the community and the Indonesian Air Force (TNI AU). From the perspective of the indigenous community of Negeri Laha, threats are seen in the form of financial demands, such as when the community demanded compensation of 75 million rupiahs as a form of appreciation for a TNI AU officer. On the other hand, the TNI AU also feels threatened, especially when crossing Negeri Laha territory and conducting area control with fully armed personnel. This action, according to the local community, is interpreted as an attempt by the TNI AU to assert its strength and authority as a state apparatus.

The resistance displayed by the indigenous community of Negeri Laha against social injustice continues to strengthen through a series of protest actions. The indigenous community of Negeri Laha organizes mass mobilization and demonstrations as a way to assert their rights, demanding recognition for actions they consider as harassment from the TNI AU, which holds strong military authority. The response to these actions comes in the form of the construction of a separating wall by the TNI AU as a security measure, claiming that the area is a military zone that needs protection. However, this action triggers a strong reaction from the indigenous community of Negeri Laha, who respond by tearing down the two-kilometer-long wall, the cost

of which was covered by the TNI AU Headquarters.

The rejection voiced by the indigenous community of Negeri Laha is a manifestation of their dissatisfaction with the outcome of the Supreme Court's decision that favored the TNI AU. The community feels that the decision is unfair and tends to be based on the interests of the TNI AU or the state. This rejection is further reinforced by the fact that previously, two trials at the Administrative Court (TUN) and the District Court of Ambon were won by the indigenous community of Negeri Laha. However, when the case was brought to the Supreme Court, the decision favored the TNI AU, which sparked deep distrust and dissatisfaction among the indigenous community of Negeri Laha.

Based on the victory of the TNI AU, the indigenous community of Negeri Laha made resistance efforts by filing an appeal against the decision. However, in 2018, the Supreme Court rejected the exception filed by the indigenous community of Negeri Laha. The conflict that ensued is the result of widespread distrust among the indigenous community of Negeri Laha towards the TNI AU, which is perceived to have taken over their ancestral land under the pretext of gaining profit from various economic activities at Pattimura Airport.

The indigenous land serves as the primary trigger for the conflict between the TNI AU and the indigenous community of Negeri Laha. According to Dahrendorf (2019), this conflict is related to industrial development and how new capital powers exploit conflicts to achieve their interests. There are two main dimensions to this conflict, reflected in the social facts of the community, especially in Negeri Laha.

Firstly, for major investors or the bourgeoisie, such as the TNI AU (state), they will exploit the conflict to exert pressure on the proletarian class (lower-middle class) to be exploited for the benefit of the new capital power. Meanwhile, the lower-middle class will feel social injustice and resist this exploitation because they are involved in the industry but have no role in decision-making. As a result, they are trapped in a situation where they are merely exploited workers by capital owners or new capital powers.

The strength built by the indigenous community of Negeri Laha to fight for their land is supported by a very strong solidarity bond, reflected in several acts of resistance against the TNI AU involving all components of the indigenous community of Negeri Laha. The ongoing conflict between the TNI AU and the indigenous community of Negeri Laha has fostered strong solidarity and cohesion among the parties involved. The indigenous community of Negeri Laha considers the TNI AU as a common enemy that must be fought by all means. This conflict does not always have negative connotations but also has a positive contributive function in strengthening the bonds of solidarity among the parties involved. This means that when the indigenous community of Negeri Laha feels unfairly treated by the TNI AU, their solidarity and cohesion will increase.

From an internal perspective, social cohesion and solidarity are realized when the indigenous community of Negeri Laha forms a perception of a common enemy. This concept of a common enemy influences their efforts to seek justice, enabling them to address potential internal conflicts within the community. Externally, there is mapping where the Indonesian Air

Force (TNI AU) successfully creates conflicts between neighboring states, such as between Negeri Laha and Negeri Hatu, which ended with the burning of clove trees belonging to the indigenous community of Negeri Laha and its resolution with compensation from Negeri Hatu. This results in the segmentation of society in the conflict map created by the TNI AU. Thus, the conflict between the indigenous community of Negeri Laha and the TNI AU can strengthen internal solidarity within the segmented community due to the existence of this conflict.

As social beings, humans face the reality of life that requires interaction with their surrounding environment. In their efforts to socialize, humans tend to form groups as a means to achieve their life goals. Interaction serves as the main bridge in building relationships with the environment, occurring not only between individuals but also between individuals and groups, as well as between groups. According to Herimanto, in sociological terminology, the relationships between individuals or groups are referred to as social relations or social connections, which result from social interaction. Social interaction, in turn, is a reciprocal process between individuals or between individuals and groups, where those engaging in social relations are expected to receive responses from others to achieve common goals. These relations are formed in a context that is not always predictable.

In the context of the land dispute conflict between the indigenous community of Negeri Laha and the TNI AU, there is a typology of social relations based on existing social facts, namely associative relations (cooperation) and dissociative relations. Associative cooperation occurs between the TNI AU and the indigenous community of Negeri Laha in the form of communication that persists even in “conditional prerequisite” situations. Although the number of participants in joint social work is not always large, communication between both parties continues. Landowners, in this case, the families of the indigenous community of Negeri Laha, are willing to relinquish some of their land for the construction of TNI AU barracks, especially because the TNI AU does not display antagonistic attitudes towards them.

Dissociative cooperation between the two parties, namely the indigenous community of Negeri Laha and the TNI AU, indicates antagonistic roles with competitive and conflictive attitudes, both manifested overtly and latently. The competitive attitude is reflected in the efforts of each party to assert their existence over land ownership, as if the indigenous community of Negeri Laha is dominated by the interests of the community group in fighting for the land. They assert ownership of the land with the principle that the land belongs to them, supported by valid evidence of their land tenure, with some even stating that they will defend the land until the end of their lives, considering it a legacy from their ancestors (Rahim, 2023). Besides competition, there are also aspects of dissociation that play a role in bringing about conflict. Each party states that as long as the community does not resort to violence, they will think positively. Additionally, the indigenous community of Negeri Laha also upholds what they believe to be right based on their understanding.

In the “conditional prerequisite” situation, cooperation between the indigenous community of Negeri Laha and the TNI AU continues, as evidenced by visits and assistance provided to each other. Visits between both parties occur at various events, such as the inauguration of the king, TNI AU commanders, or religious holidays, both formally and informally. Meanwhile, assistance is provided when the TNI AU conducts activities such as health check-ups, mass circumcisions, or prayers at mosques, indicating that the mosques located on TNI AU premises are frequently visited by the indigenous community of Negeri Laha. Even when the city of Ambon was hit by an earthquake in 2019, the TNI AU participated in evacuations to save the indigenous community of Negeri Laha. The TNI AU also provides assistance to children from Negeri Laha who apply and become TNI AU candidates, provided they demonstrate physical and intellectual competence.

The tolerance shown by the TNI AU is reflected when the indigenous community of Negeri Laha is allowed to cross roads in military areas, and even their livestock that enters military yards and damages some infrastructure is not prohibited by the TNI AU. This attitude demonstrates efforts to bridge the differences between both parties through social stimuli (Geerlings et al., 2020). The conflict between the indigenous community of Negeri Laha and the TNI AU can be seen from two perspectives: realistic and non-realistic conflicts. Realistic conflicts occur because the indigenous community of Negeri Laha feels unfairly pressured by the TNI AU. This social fact is reflected in the social relations between both parties, filled with competition and conflict manifested in various actions, words, and behaviors of individuals and groups. On the other hand, non-realistic conflicts occur when both parties strive to cooperate to minimize conflicts to achieve harmony. Cosser’s analysis of social relations, especially in the function of social conflict, shows that conflict can be seen as an alternative to radical conflict views inspired by Marxism (Dijkstra et al., 2020). Conflict is a construct of individuals’ or groups’ thoughts that affect the functional values of the social system. The conflict between the TNI AU and the indigenous community of Negeri Laha is not only dysfunctional but also has positive consequences. Cosser describes conflict as disputes over values, power, status, and limited resources. Therefore, this conflict can play a role in strengthening social structures and advancing society.

The Involvement of Indigenous Communities in Preventing Agrarian Conflicts in Maluku

The involvement of indigenous communities in preventing agrarian conflicts in Maluku is a crucial step to ensure peace and justice in the management of natural resources in the region. The first step in this involvement is the unequivocal recognition of the customary land rights of local indigenous communities. Customary land must be officially recognized and respected, in accordance with applicable international and national laws. Therefore, indigenous communities will have fair and equal access to land and other natural resources that are part of their traditional territory. Furthermore, indigenous communities must actively participate in the decision-making process related to the management of natural resources in their area. Their active participation in planning, policy-making, and the implementation of development programs will ensure

environmental sustainability and create a greater sense of ownership over the land and natural resources they manage. In this context, it is important to facilitate effective and inclusive dispute resolution mechanisms. Indigenous communities should have easy and fair access to neutral and authorized dispute resolution institutions to peacefully resolve conflicts.

Moreover, capacity building and legal education for indigenous communities are needed. Through legal education programs and training, they will have a better understanding of their rights and the legal processes related to land and natural resource management. This will help them effectively advocate for their rights and avoid abuse or violations of their rights by other parties. Equally important is protection against threats and violence. Protection and security measures must be implemented to protect indigenous communities from threats, intimidation, or violence that may occur in the context of agrarian conflicts.

In the context of involving indigenous communities in preventing agrarian conflicts in Maluku, it is also important to promote dialogue and cooperation between indigenous communities, the government, civil society organizations, and the private sector. Cross-sector collaboration can strengthen conflict prevention efforts by building mutual understanding, facilitating open dialogue, and creating mutually beneficial cooperation mechanisms. Additionally, a restorative approach can be an effective strategy in resolving agrarian conflicts.

Capacity building for indigenous communities in negotiation, advocacy, and conflict resolution is also a crucial part of conflict prevention efforts. By enhancing the capacity of indigenous communities in these areas, they will be better able to play an active role in advocating for their rights and resolving conflicts peacefully and sustainably. Furthermore, it is important to promote transparency and accountability in the management of natural resources in Maluku. Greater transparency in decision-making processes and natural resource management will create a more open and inclusive environment, reducing the risk of agrarian conflicts. Lastly, efforts to prevent agrarian conflicts must also be supported by strong policy support from the government. Policies that support the rights of indigenous communities, environmental protection, and fair and just law enforcement will be crucial foundations for effective and sustainable conflict prevention efforts in Maluku.

CONCLUSION

This article depicts the role of indigenous communities in addressing agrarian conflicts in Maluku. The involvement of indigenous communities is not only necessary but also strategic in maintaining peace and justice in the management of natural resources in the region. It discusses conflicting land claims and the adverse effects of agrarian conflicts on environmental preservation and community welfare. The conclusion emphasizes the urgency of cross-sectoral cooperation and inter-party dialogue through concrete actions, such as building the capacity of indigenous communities in legal understanding and environmental sustainability, as well as enhancing the role of traditional institutions in decision-making regarding natural resources.

These steps are believed to enhance the effectiveness of indigenous communities in advocating for their rights, preventing conflicts, and creating a more harmonious environment in Maluku. Additionally, strong policy support from the government and other stakeholders is also needed to create a conducive environment for cooperation. This includes transparency in natural resource management and efforts for fair and sustainable agrarian conflict resolution.

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