

## Implementation of Local Wisdom in Land Tenure and Land Management as Vertical Conflict Resolution at Kontu Forest, Muna Regency, Southeast Sulawesi

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### Abstract

*This study investigates some local wisdom in the management and ownership of land (land tenure) which has been developed among Muna communities. The study can serve as a model to resolve the conflict between society and the government. There are some solutions that can be implemented to resolve the vertical conflict between the government and the community. First, the implementation of local wisdom Kawaagho system by granting Kontu forests to the communities to be managed according to the principles of sustainable forest management. Grants or disposal of the land can be done when not contradictory to the legislations and the criteria of the grant recipients who will be given the right to use the land within a period of 10 years. If during this period was still in the name of the grantee (the heirs), the status of ownership can be converted into a right to use proprietary. Second, local wisdom system of Taiha/Kafotai is a form of land tenure on a part or the whole land that is borrowed temporarily. The regulations agreed in land management system of Kafotai, for the processing plant can only seek short-term and cannot plant crops for the benefit of themselves and their families. The land management of Kafotai is in line with the Community Based Forest Management (CBFM). The third model is land management of Kaendea which is rather similar to the agroforestry system. In ancient times, the planting in Kaendea model was irregular, because no simultaneous planting and did not use the line system.*

**Keywords:** Vertical Conflict, Local Wisdom, Kontu Forest.

### 1. INTRODUCTION

Forest degradation through land use changed either legal process (government policy) or encroachment by people into the forest has resulted in some damages in the Southeast Sulawesi. The forest destruction is also triggered by human behavior in exploring and exploiting forests excessively to meet the human needs without considering the rules of natural balance. Even the control of forest land has caused various problems either horizontally or vertically, such as a conflict between the company, the community and the government and between the groups with other people.

One of the conflicts that has occurred vertically between the government and the local people is forest land tenure conflict of Kontu/Papantiri in Muna, Southeast Sulawesi. The conflict has occurred from 2000 until now. The Decree No. 454 of 1999 of forest ministry states that Kontu and the surrounding forest is part of Jompi forest that should be preserved and maintained continuity while local people claim that Kontu forests are indigenous lands (communal) of Watopute indigenous peoples. In this sense the local people have the right to manage the forest for their welfare improvement.

The forest issue of Kontu/Papantiri cannot be allowed to drag on. All stakeholders must take part to find a better

solution. A good solution should have the basic argument which is acceptable to all parties. Therefore, it is necessary to take concrete steps, objective, and rational to resolve the conflict without harming the other party while maintaining preservation of the environment and the values of public welfare. One important solution is the need for in-depth study on the implementation of the local wisdom values that have been developed among the Muna people related to the land acquisition and management as a way out of the conflict resolution.

The purpose of this study is to identify, analyze and implement the values of local wisdom in the land acquisition and management which has grown and developed in the Muna communities. The values of local wisdom vertical can resolve conflicts between communities and local governments in connection with the acquisition of Kontu forest areas in Muna.

## 2. LITERATURE REVIEW

Social conflict may take place at the level of inter-space power. There are three space power within a social system, they are "a space of state power", "civil society or collectivity-social" and "private sector" (Bebbington, 1997, and Luckham, 1998). Social conflict can take place in any space which involves agencies or inter-space power as indicated in the following figure:

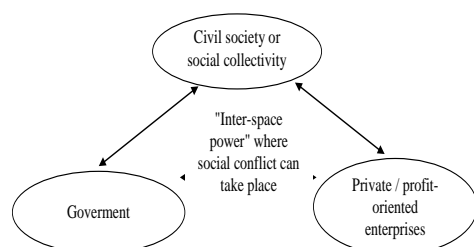


Figure 1. Three areas of social conflict where can underway (adapted from Bebbington, 1997) and (Darmawan 2006).

In general, a conflict resolution strategy must have adequate knowledge related to social conflict maps in the region. Of these maps, all possibilities and opportunities of conflict resolution are carefully considered, so any benefits and losses can be calculated properly. Many cases are often found that the

resolution made to address social conflicts is not really able to eliminate the root-conflict issues completely and comprehensively. In such cases, the appropriate conflict resolution should be well managed (conflict management), otherwise the explosion of "clash-social" which resulted in destructive impact cannot be avoided (Darmawan, 2006).

Conflicts can be addressed in a way not to be indifferent to it, to suppress it, or to solve it. Indifference means that there is no direct attempt to deal with a conflict which has been manifested. So in that case, the conflict is allowed to develop in a constructive or a destructive force. Hitting a conflict (suppression) causes the shrinking of the negative impact of the conflict, but this does not address the main points or negate the causes of the conflict. Conflict resolution occurs only when the cause of conflict is eliminated and not hanging conditions or antagonisms to the cause of conflict in the future (Winardi, 1994).

Vertical conflict in terms of land tenure is a dispute between the communities and the government. Forms of land tenure conflicts in the vertical are in the following:

- 1) Conflict over the validity of an individual or a family right which is claimed by the community.
- 2) Conflict over the ownership or boundaries and functions of the land forest with the community land for a shifting cultivation.
- 3) Conflict over land rights or plant acquisition of the communities by the government on the grounds of public interest or other development activities.

## 3. RESEARCH METHODOLOGY

### Location and Time

The research was conducted in the area of Kontu Forest, Muna Southeast Sulawesi Province which covers several districts located around the Forest, conducted from July 2009 to January 2010.

### Techniques of Data Collection

The data required in this study consisted of primary and secondary data obtained by using several techniques such as:

- 1) Interview was conducted face to face with respondents to collect the necessary data and information by using a structured interview guide (questionnaires).
- 2) Focus Group Discussion (FGD) aimed to explore ideas, identify and formulate problems, and to find alternative solutions.

## 4. RESULT AND DISCUSSION

Muna is one of the districts in Southeast Sulawesi. It is a geographical region located at latitude  $40^{\circ} 6'$  to  $50^{\circ} 15'$  South Latitude and from West to East at  $122^{\circ}$  to  $123^{\circ} 15'$  East Longitude. Kontu forest area is administratively a border region of 3 (three) sub-districts namely: Katobu, Batalaiworu and Watopute.

Topography of these sub-districts is a lowland forest with a height of 0-100 meters above sea level. In terms of water regulation system, Kontu forest is a catchment area and other several tributaries which go into the sea via Labalano River that circulates water. Various plant species are found in the study area of any forms of land use. They can be broadly divided into types of forestry, plantations and crops.

Details of population, land area, and population density in the three districts surrounding Kontu forest are presented in the following table:

Table 1: Population density

No	Sub-District	Population (People)	Area (Km <sup>2</sup> )		Population Density (jiwa/km <sup>2</sup> )	
			Area	Agricultural Land	geographical	agrarian
1.	Katobu	26.741	128,8	11,9	208	2.247
2.	Batalaiworu	9.251	227,1	100,9	41	92
3.	Watopute	10.834	968,2	369,9	11	29

Sources: Data Analysis Results of 2009

Table 1 indicates that geographically and demographically, Katobu is most dense sub-district compared to the other two districts, Batalaiworu and Watopute. This is because Katobu is the capital in which the center of government, commerce and service sectors.

In addition, urbanization is more rapid in the region led to a higher population density in Katobu.

### Conflict in Kotu forest area

Vertical conflict between Muna government and the communities in forested areas due to land grabbing of Kontu forest (Muna government version). The local communities have occupied the forest land since 2000. They claim that the land is own by indigenous communities of Watopute. Instead the government refers to the forestry minister regulation No. 454 / Kpt-II / 1999 on boundary waters and forests of Southeast Sulawesi province where Kontu forest is a protected forest area.

The conflict reached its peak in January 2003 when the Regent of Muna issued the evacuation policy of people who live in Kontu forest and prohibited the people of doing any agricultural activities in the forest. The implications of this policy are the violence and human rights violations against people who cultivate in Kontu and surrounding areas. Differences of opinion between the government and the local communities regarding Kontu forest, should be immediately disclosed wisely. If not both parties, the government and the local communities will suffer a loss; the norms which have become source of legitimacy would not be profitable.

### Analysis of conflict resolution

Indeed quite a lot of conflict resolution models, but to keep in mind that Indonesia is a great nation with a diversity of cultures and each region has its local wisdom which has grown along with the civilization of the local community. Therefore, local wisdom is something that is already rooted and not just a mere profane oriented, but also acral oriented, so that the implementation can be more quickly and easily accepted by society. Some wisdom in the land management and land tenure have developed among the Muna communities and can serve as a model adopted to resolve the conflict between community and government.

## Local Wisdom of Muna Communities in Land Tenure and Land Management

### Kawagho system (Grant)

Kawagho is a land tenure system that is obtained by providing (grant) from a person or an institution. The person or the institution that provide/donate land to others on the basis of kinship relations, remuneration, or gift of land to new families who do not have land for agricultural cultivation purposes or to build a house (Rianse et al, 2002). As for the solution, the government can grant Kontu forests to the communities to be managed with reference to the principles of forest sustainable and management. The land grants or land release can be done when the status of the forest area is already clear beforehand whether as a conservation forest, production, or other uses that does not contradict with ant legislation. One step that can be taken is the central government along with the provincial and district governments to review the status of forests and boundaries as mentioned in Forest Minister Decree No. 454 of 1999 on boundary waters and protected areas in Southeast Sulawesi province especially in Muna.

Furthermore, restructuring the forest boundaries across Muna regency including Kontu and surrounding areas by strengthening criteria set out in the Decree of Forestry Minister No.32/Kpts-II/2001. If legally forests in Kontu allows for granted or released, then the first step is to don an inventory of land ownership in the Village. The inventory conducted by government apparatus may cover the size, form of ownership or control, location and the land use. The local governments use a system called Community Based Land Management (CBLM) for the inventory. It is intended to prevent violations that lead to unequal land tenure and also as a cornerstone in the redistribution of land to the communities (Yasa 2008).

In addition, to avoid any tendency of land tenure for the benefit of buying and selling, then the procedure must be adopted where the grantee will be given the right to use the land for a period of 10 years with a ban on the transfer of rights; if during this period was still in the name of the grantee (or their heirs), the land ownership status can be changed the

ownership status to the rights of use proprietary. Other criteria is that land management should be in accordance with the principles of sustainable environments such as agroforestry or community forest is based on standard of environmental, economic and social norms, so that the preservation of natural resources can be preserved.

### Taiha system / Kafotai

Land tenure system of Taiha is a form of land tenure on a part or the whole region is temporary because it is not accompanied by the transfer of rights for a period ranging between 2-6 the growing season depending on the agreement with the landowner.

The rules agreed upon in land management system with the usual Kafotai system in Muna communities. The peasants can only seek short-term crops (annuals) and in no way can plant annual crops for the benefit of themselves and their families. Even if there are fruit trees of the landowners in the location, the land borrower is obliged to preserve the land and take the appropriate products based on the agreement with land owners. If the land is still cultivated in a discharged condition (yet has plantation crops) then the landowner can plant long-term crops and the land cultivator requires maintaining the plants during the cultivation. The land tenure of the system is appropriate to be applied as a conflict resolution of Kontu forest which can be combined with a new paradigm in the forest management of community model of joint forest management (CBFM).

The combination of the two systems is expected to gain greater benefits because besides benefits from seasonal plants, the benefit also from part of the staple crop / forest ecosystem functions including enjoyment and environmental services. Land management system of Kafotai and CBFM models are expected that all parties, society and government as well as other stakeholders are directly involved in the planning, implementation, monitoring and the utilization of the products.

### Development of local wisdom of land management system/Kaendaea pattern

Land management applied by Muna communities for generations generally

employ Kaendea pattern. This pattern has the same principle with agroforestry models. The only difference is on the planting model in which the Kaendea pattern applied irregular system because no simultaneous planting and does not use path system. At the outset, Kaendea was originally a land management with a rotation system by planting crops while inserting some plantation crops or fruits on land boundaries such as coconut, mango, cotton and fruit crops as well as some other timber plants which grow wild and feel affection for destroying. Once the trees are large and shady, acreage for growing crops become increasingly narrow and marginal, so the land is converted into Kaendea by planting the entire area with the intention to collect the results and also to serve as a means of a proof to land tenure (Rianse et al, 2002).

Land management of Kaendea or agroforestry system has several advantages in terms of ecological/environmental, economic, socio-cultural, and political aspects. .

Ecology/ environment or agroforestry has a high ecological stability, because agroforestry has:

1. Multi-types, meaning that it has more biodiversity or have a complete food chain/ energy.
2. Multi-strata could create canopy microclimate and soil conservation and water better. In addition, the presence of a combination of trees and crops can reduce pest and disease attack.
3. Continuity of vegetation, so it never occurred to the extreme openness of the land surface which can damage the ecological balance.
4. Use of landscape is efficient.

Economic advantage is to give a higher and sustainable welfare to farmers because agroforestry has:

1. Plants grown are more diverse which are usually chosen plant species that have commercial value with a large potential market.
2. The investment is relatively low or may be done gradually.

Social and cultural advantages are related to agroforestry (adoptability) advantages which are high in accordance with knowledge, skills

and attitudes of peasant culture. This is because agroforestry has:

1. Technology is flexible and can be carried out by the developed communities to the traditional communities and subsistence.
2. The need for input, process management type of agroforestry results are already very well-known and commonly used by the local community..
3. The philosophy of efficient cultivation is to obtain results in a relatively large at a cost or sacrifice is relatively small.

Political advantage is that agroforestry can meet the desires of the communities and the political interests of the nation as a whole, namely:

1. Agroforestry is appropriate conducted by communities; there is equity business opportunity, as well as creating a more competitive supply structure.
2. To relieve tension or political conflict, this has continued to heat up due to the role of inter-group inequality and economic injustice.

## 5. CONCLUSION

The local wisdom values of Muna people can be implemented as a vertical resolution of conflicts between communities and governments in Kontu forest area. These values can be applied in three ways. Firstly, grant/release of forest area to local communities should agree with the value of local wisdom in in terms of administration/ land tenure of Kawagho (grants) with the status of the land use rights for 10 years and if during this period is not transferable to change the ownership of the sustainable forest management model, that is a model community forest management. Secondly, application of the system of land tenure Kafotai / Kaada (borrow) the form of land tenure in some or all areas / land is temporary. Thirdly, application of planting pattern with Kaendea system (agroforestry) performed according to standards of ecolabel certification.

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