

Communication Model In Company And Community Land Dispute Settlement In Pelawan District

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Abstract

There are many land conflicts in Indonesia, both in cities and in rural areas, between communities and companies. Expansion of oil palm plantation companies and industrial forest plantations (HTI) causes most of the land conflicts that occur. This is the result of decisions made by public officials granting concession licenses to companies. This permit is granted on land that is actually owned and cultivated by local residents. Because of this, the dissatisfied people complained about the problem to the responsible local government. Pelalawan District, most conflicts occur between communities and companies. There was a land conflict between the people of Kerumutan District, Pelalawan Regency, and PT. Subur Valley Sari. The adat leader believes that the community owns the land because they lived there when PT. Sari Lembah Subur was founded. People started living in this Kerumutan sub-district in 1960, but PT. Sari Lembah Subur was first established in 1988. PT. Sari Lembah Subur is now building oil palm trees on the conflicted land from shrubs. The local government, as the mediating party in this case, is still resolving the conflict in the Kerumutan sub-district. The research objectives are as follows: (1) to analyze and develop a communication model for land dispute conflicts between businesses and communities; and (2) developing a communication model for land dispute conflicts between businesses and communities. This study uses a descriptive qualitative approach to process field data collected through interviews and field observations. The results of the study show that several things that have caused conflict in the Pelalawan community are as follows: the land that has been cultivated by the community must be returned to the company because the land is included in the company's HGU; the company can also provide compensation for the land; or community land can be exchanged. However, only usufructuary rights can become property rights, so the community ends up demanding that the company sell their land. In this case, the government has made every effort to protect the community, but because the company has been inconsistent, the government has always been the intermediary. In this land conflict, initial communication models such as SMCR, Interaction Communication Model, and Linear Communication Model (Adler and Rodman) were used.

Keywords : *Communication Model, Land Dispute, Conflict*

Introduction

Soil is one of Indonesia's natural resources. This is indicated by paragraph (3) of article 33 of the 1945 Constitution of the Republic of Indonesia, which states that "the land, water and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people." On September 24, 1960, the President of the Republic of Indonesia Soekarno promulgated Law No. 5 of 1960, which established basic regulations for

agriculture, agriculture and fisheries. As an agricultural country, land has a very important role for the prosperity and welfare of the Indonesian people. The function of land and its economic value is increasing in a country like Indonesia because of the large population living there, who also need land for agriculture and shelter. However, because of its high economic value and its many functions for human life, land is also often the subject of disputes or social conflicts. Many areas in Indonesia experience conflicts over this land, both between communities and companies.

One of them is an area in Riau Province which is well-known as a plantation business place, especially oil palm plantations. Many residents there make oil palm their main job. Thus, land serves as the main resource for the development of oil palm plantations. That's why land is very vulnerable to problems such as land conflicts. Land conflicts in Riau Province in 2018 doubled compared to 2017. The number of conflicts increased by 28% from the previous year, with a total of 73 conflicts occurring. This was conveyed by the Executive Director of Scale Up Social Partnership in Pekanbaru. Expansion of oil palm plantation companies and industrial forest plantations (HTI) causes most of the land conflicts that occur. This is the result of decisions made by public officials granting concession licenses to companies. These permits are granted for land that is actually used and cultivated by local residents. Because of this, the dissatisfied people complained about the problem to the responsible local government. In addition, the measurement of the land for which the permit was granted to the company was never repeated, which led to overlapping of land uses. Most of the land conflicts in Riau Province occur between communities and PT. SLS and the people of Kampar, Pelalawan; land conflict in Rokan Hulu Regency; land conflict in Siak Regency with PT Meridan Sejati; and land conflict in Pelalawan District with PT CDSL.

Pelalawan District is one of the areas in Riau Province where many land conflicts have occurred. Most conflicts occur between communities and companies. There was a land conflict between the people of Kerumutan District, Pelalawan Regency, and PT. Subur Valley Sari. Chronology of land conflicts between the people of Kerumutan District and PT. Sari Lembah Subur started in 2017 and is fighting over 1,200 hectares of land. According to the adat leader, the community is the owner of the land because they have lived there before PT. Sari Lembah Subur is operational, and the community has lived in Kerumutan sub-district since its inception. PT. Sari Lembah Subur has converted the conflicted land into oil palm trees. The Regional Government, as the mediating party in this case, is currently resolving the conflict in the Kerumutan sub-district. Until now, this conflict has not solved the problem.

Taking into account the standard operating procedures (SOP) and the main tasks of the land subdivision, the government must act as a mediator in cases of land conflicts that occur in the community. The function of the land sub-section also has responsibility in the conflict resolution process, as mentioned in points 3 and 4 of the description of the tasks of the land sub-section, which includes facilitating settlement of land conflicts between communities and the government. Conflict is unavoidable in social life, but corporate conflict management should do the same. This also applies to a company. Some companies intentionally cause conflict. This is done because, for companies, conflict management strategies can make employees more eager to compete. However, in some situations, these conflicts make it difficult for the company and its employees to develop professionally. Everyone in an organization will be greatly affected by conflict management, like it or not. Therefore, the

people who are responsible in the organization must have the ability to handle conflict so that the conflict that arises will have a positive impact on the organization.

Based on the problems and phenomena described above, the problem can be formulated "What is the communication model for Land Dispute Conflicts between Companies and Communities in Pelalawan Regency". The aims and objectives of this study are to: (1) Analyze the communication of conflict over land disputes between companies and communities in Pelalawan district. (2) Develop a communication model for Land Dispute Conflicts between Companies and Communities in Pelalawan Regency

Research methods

Denzin and Lincoln (in Moleong 2005) state that: "qualitative research is research that uses natural settings, with the intention of interpreting phenomena that occur and is carried out by involving various existing methods." This means that research describes something as it is according to reality, so to get objective conclusions, researchers try to understand the symptoms by interpreting the various problems that occur in each situation. This research will be conducted on the government and people of Pelalawan Regency. Once approved for funding, research will be conducted for one year. According to Sugiyono (2005), the subjects and subjects of this research are the subjects or subjects chosen by the researcher to study and then conclusions are drawn. Government and society are the subject of this research. The communication model of land dispute conflicts between companies and communities in Pelalawan district is the object of this study.

Data Types and Sources

Primary data were obtained from interviews and observations with people in Pelalawan District, including the government, the land division, company representatives, and the communities involved in the dispute. Secondary data is obtained from the literature, which is used to compare current theory with existing theory in the field based on supporting books and other written sources. In addition, secondary data was also obtained from the government related to this research. The government, the land division, company representatives, and the people in dispute were interviewed using the interview data collection method. Observing (seeing) and hearing (listening to) someone's behavior for some time without manipulating or controlling, and recording findings that allow or qualify for use in the interpretation level of analysis is known as observation. This observation was carried out in Pelalawan District to find out how companies and communities handle land disputes. One of the data collection methods used to trace historical data is the Documentary Method, according to Bungin (2005). Documentation can be in the form of photos, videos, microfilms, and documents collected directly from the field.

Results and Discussion

The Malay community in Pelalawan district has a local value system that helps them behave in social relations with other people and their environment. The process of defining the norms, customs and traditions that exist in this society will be assisted by the existing value system. This value system comes from their ancestral cultural heritage, which is known

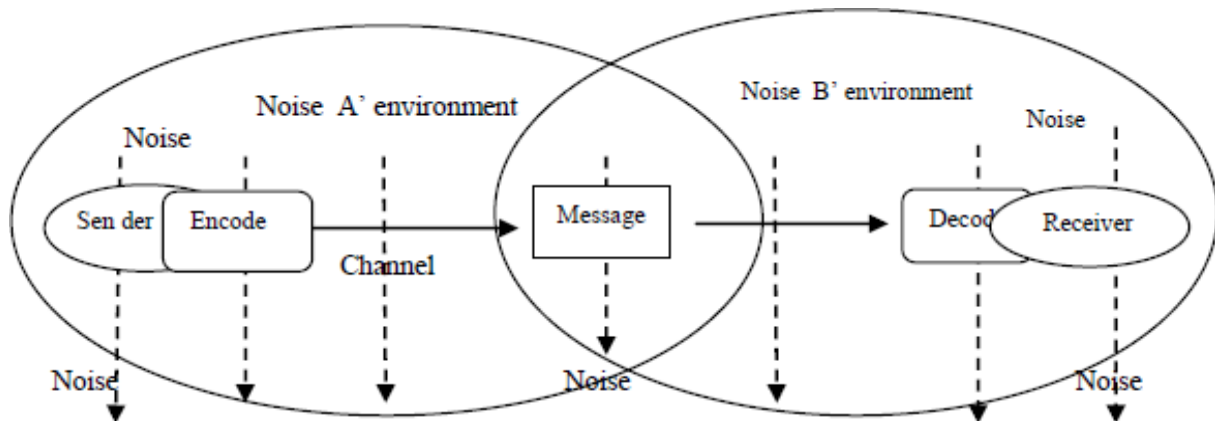
in Malay society as customs, traditions and resam. In addition, most of these value systems originate from foreign cultural values that are adapted to the characteristics and living environment of members of the local community. These cultural values shape the identity of the Malay people group in this region besides functioning as a philosophy of life. According to UU Hamidi (1982), at least three value systems are used consistently in the daily life of Malays in Riau.

First, there is a value system that comes from religious teachings. The values taught by Islam are considered as the most important value system when compared to other value systems in Pelalawan society. Therefore, someone who faithfully follows and adheres to these religious values is seen as having high dignity. These people will always be role models and guides for the general public. Second, the value system of customs. This value system serves as a measurement standard and provision about how each individual and community group acts. This value system is based on the deep thinking of previous traditional leaders about how community life can be managed well, and is further useful to regulate relationships among community members so that life can run peacefully. This value system is combined with strict punishment for those who violate it, and in turn becomes a rule that regulates the relationship between individuals and certain individuals or groups with other individuals or groups. Third, tradition is the source of the value system. This value system creates a healthy relationship between humans and their environment. The religious value system comes from God's revelation, and the traditional value system comes from myth. These three value systems are social and cultural realities in Pelalawan Malay society. This society is very loyal to customs and religion, and these three value systems appear in their every social action. Therefore, every social activity carried out by the community never deviates from one of these value systems.

In the conflict resolution scheme above, the government acts as a third party that is higher than the source (PT. SLS) and the recipient (community). As an intermediary for the two parties to resolve the conflict that occurred, the source (PT.SLS) conducted reciprocal two-way communication about the demands of the recipient (community) that caused the conflict. The mediator contacts all parties involved in the conflict through From the conflict resolution scheme above, it is clear that the government acts as a mediator and is a third party that is higher than the source (PT.SLS) and the recipient (community). The government ordered both sides to resolve the conflict. Furthermore, the source (PT.SLS) carries out a reciprocal two-way communication regarding the request of the recipient (community). Through the negotiation process, the mediator assists all parties involved in the conflict to reach an agreement aimed at making peace and giving back community rights.

The purpose of this agreement is to resolve the conflict between the two parties. In the conflict resolution scheme above, the government acts as a mediator, a third party that is higher than the source (PT.SLS) and the recipient (community), and asks both parties to resolve the conflict to achieve common interests. Furthermore, the source (PT.SLS) conducts two-way communication about the demands of the recipient, or the community, which causes the conflict. Through the negotiation process with all parties involved in the conflict, the mediator hopes to reach an agreement to make peace and give back the community's rights. To resolve the conflict between the two parties, the results of the agreement are used.

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Analyzing Land Dispute Conflict Communication between Companies and Communities in Pelalawan Regency

Human Needs Theory assumes that the sources of conflict are basic human needs: unmet or inhibited physical, mental, and social needs. Security, identity, recognition, participation, and autonomy are frequently discussed topics. Goal: find people's unmet needs and work together to find ways to fulfill them. Over time, this will result in shifts that will eventually lead to conflict in society.

"The Traditional Elders namely Bebatinan Mudo Kerumutan said that the oil palm plantation company PT Sari Lembah Subur (PT SLS) which operates in Pelalawan Regency, Riau has been cultivating areas outside of their Cultivation Rights (HGU). This has also been acknowledged by PT. SLS, but until now they do not want to comply with the orders given by the government, even though the government authorities have written to the PT. SLS company to return the land to the community. PT SLS seems to be asking for an event that is not good and only then will it fulfill the demands of the community even though this land conflict has been going on for years and we feel very tired of this always being delayed in agreeing and returning the rights of the community, this We have returned to report to the Pelalawan Regent and the authorities, such as the Office of Investment and One-Stop Services (DPMPSTP) of Pelalawan Regency. On July 7, we reported back to the government, hopefully this time there will be a bright spot (interview with traditional elders be treated mudo kerumutan Mr. Rustam Effendi, Spi)

According to the data above, the community has tried to obtain their rights by talking to the government. The government has written to the companies so they can talk directly to communities and companies, and the government serves as an arbiter for the two parties to the dispute. Communities have been waiting several years for a settlement that will meet their demands. This will help the children and grandchildren of the community, whose land is included in the PT. SLS HGU and conflict theory, namely principle negotiations. considers the conflict caused by positions that are not aligned and different perspectives from each party.

Goal: enable conflicting parties to differentiate their feelings about various issues and concerns, and enable them to negotiate based on their interests rather than any particular pre-existing position. After that, the settlement process begins, which will benefit both parties or all parties. This also occurs in cases of land conflicts between communities and companies. Communities with larger land areas received special treatment from the company in this conflict, so that the community began to worry whether this demand would be met or not. In fact, the promises made are sometimes not always true.

"We sometimes don't even stick together, sometimes some people even defect and side with the company. We don't know what the company has promised, so that one of the residents no longer demands what is the goal of the community. We already understand, but sometimes residents are like this is what causes us more losses and disappointments, this is not only for us now but for our children and grandchildren in the future. Where are they going to complain if all the land already belongs to the company, even though this is their ancestral land. In the past, without them, we could live in peace, we could plant rice, find lots of fish, tap after PT entered, we began to get less and less natural supplies. This land is not to mention protected forest which is also included in the HGU of oil palm PTs around the community. Interview with traditional Malay elders, Mr. Diah"

From the interview data above, we can conclude that the community has negotiated several times but did not produce the results that the residents expected. On the other hand, companies sometimes seduce citizens to benefit from certain parts of society. Life is always in conflict. People always face conflict and struggle with it throughout their lives. This also applies to society. Conflicts can arise in everyday life, either with other people in society or with companies around them. One of the people in the Kerumutan sub-district, Pelalawan district, was involved in a conflict with a company. PT. Sari Lembah Subur has a conflict with the local community. as shown by interviews conducted with Mr. Muhammad Abdul Gani, SH

"Actually, the conflict over land in Kerumutan has become an open secret. At first, this conflict occurred when the company PT. SLS claimed that the community's garden land was in the company's HGU, so the company would take over the plantation and provide compensation that was detrimental to the community, but the community did not want to give the land to them. There have been several demonstrations by the community from the community whose land is in the company's HGU, then mediation has been held several times with no results. The community had also complained to the Pelalawan Regent at that time when Mr Harris was still the regent but an agreement had not yet been reached. Hopefully

with this new regent there will be happy results for the community. Interview with Kerumutan village chief, Mr. Abdul Gani, SH”

According to the kerumutan sub-district head's statement above, it can be concluded that the Kerumutan community and the company have been involved in conflict for several years. However, until now, there has been no bright spot in the conflict. Because integrative alternatives are considered difficult to obtain, one party's aspirations can be the first cause of conflict. If one's own or the other party's aspirations don't change and don't move, this kind of conflict will deepen. One of the two reasons why aspirations can lead to conflict is because each party has reason to believe they have a right to possess something of value. The first reason is realistic, while the second reason is idealistic. The second human factor that causes conflict is the leader. Leaders sometimes take advantage of their position to enrich themselves, to the detriment of society as a whole. They have individual traits such as being selfish, temperamental, bigoted, and authoritarian, especially because of their leadership style. as stated by one of the residents with the initial S who owns problematic land.

"We already understand for ourselves who is benefiting from this conflict, many have stepped forward as defenders, in the end they have become subservient to the company. Of course, there is something wrong. If you look at it from their character, they used to be very passionate in helping the community, now they are no longer soft. to the company, we can assess what happened. Interview with a resident of S, Kerumutan sub-district”

From the statement above, it can be concluded that certain individuals took the opportunity to cause these land conflicts and disputes over the use of resources. If resources, such as money, materials, or other means, are limited or constrained, there may be competition in their use. This indicates the possibility of societal conflict. There is no relationship between the goals of community members and community leaders. This will lead to more complicated conflicts between communities and companies. In fact, people believe that people in society who know how to mediate well with corporations can talk to each other. However, this is not the case. Conflicts are caused by differences in values and perceptions. Certain people feel treated unfairly. Young leaders and community advocates believe that they are given heavy, routine and complex tasks, while the government is given light and simple tasks. Ambiguity in jurisdictions There are conflicts because the boundaries of the rules are not clear, or because of overlapping responsibilities. A "status" problem is when one unit or department tries to improve and enhance its status, while other units or departments perceive its status as dangerous in the organizational hierarchy. Communication Barriers: Communication barriers can cause conflicts between units or departments in planning, monitoring, coordination, even leadership.

"The government has tried to find a way out that must be done in this conflict, for example by being given an alternative from the company with a land swap, but again the land does not match the land owned by the conflicting community, for example, the residents' land is 4 ha, so the company provided an exchange of only 1.5 hectares and this exchange could not be owned, only usufructuary rights, so it was not reinforced by a letter which would later be used by the descendants of the

community, so this again experienced a stalemate. Interviews with residents of R Kerumutan sub-district.”

According to the interview above, the company has gone through several stages in trying to resolve the community land conflict with PT. SLS. The first stage is carried out by contending companies, namely trying to find a solution that one party or another party prefers. For example, the company has offered the community's wish, namely that the land must be managed properly. Finding a solution that satisfies the wishes of both parties is called problem solving. This was submitted to the government, namely the district head of Pelalawan, who then received it from the former district head. However, this issue has not yet been resolved, and only certain individuals who benefit from this conflict choose to physically and mentally leave the conflict situation. By drawing involves ignoring disputes. Because each side is waiting for the other party's next action, inaction does nothing. This is what companies do; the company continues to let the community explore its land, although the community remains wary. The community is only waiting for the results of the discussion and mediation between the company and the government, which is expected to enable the government to give its side to the community.

Based on the results of an interview with Public Relations PT. SLS Setyo Budi Utomo, said that an approach to government must be owned by having a good relationship with the government itself. This good relationship is done to get support from the government in resolving this land dispute case. Approach to the government can be done by:

- a. Actions and decisions must be based on instructions given by the government
- b. Always comply with government regulations.
- c. Always invite the government in every meeting and dialogue related to community demands addressed to PT.SLS.

From the approaches that have been taken, a good cooperation will be formed between the government and companies. Then, from the cooperation that has been formed, it will continue in the form of the government's active role in assisting PT. SLS in dealing with conflicts that occur. The government's active role can be seen in every meeting held by the government in responding to demands made by the community, until now the government is still playing an active role so that the community gets their land rights back.

The approach to the government from the results of interviews with PT. SLS public relations ended in a good collaboration between the government and the company. Cooperation in the form of the government's active role as a third party or mediation in resolving conflicts that occurred between PT.SLS and the community in Kerumutan District, Pelalawan Regency has not yet reached an agreement. The approach to government carried out by the community and PT. SLS is a strategy for dealing with interpersonal conflicts, where the strategy applied is a lose-lose strategy (Wijono, 1993:45).

Figure 1. Mediation and discussion regarding the land conflict of the Kerumutan community with representatives regent of Pelalawan. H. Nasarudin, MH



Land Utilization System in the Pelalawan Malay Community: The Malay community in Riau, especially in the Pelalawan district, has a regulatory pattern regarding rights and sovereignty over nature which gives them a source of life. In the concept of customary rights, institutionally adat led by adat stakeholders will have power over indigenous peoples and all of their natural wealth.

In this arrangement pattern, there are at least four types of forest and land that are included in the province. The first is a reserve forest that cannot be converted into a garden or plantation, so it is called a forbidden forest. The second is garden and farm land. The third is yard land. The fourth is the sialang siege forest. In the past, the management method of this region, which includes the forest, land, and waters of Malay Riau, has improved the socio-economic well-being of the local population. This method of management and utilization of Ulayat not only benefits the community economically, but also provides living space for flora and fauna protected by the state. All living things have been given the opportunity to live properly in an environment managed by the Riau Malay community. Knowledge about the value system in the customs of the Malays in Riau ensures that ulayat is implicit in gurindam and pantun.

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