The empirical visibility of land use conflicts: From latent to manifest conflict through law enforcement in a national park in Indonesia

Yusran Yusran[a], Muhammad Alif K. Sahide[a,*], Supratman Supratman[a], Adrayanti Sabar[b], Max Krott[c], Lukas Giessen[c]

[a] Laboratory on Forest Policy and Entrepreneurship, Faculty of Forestry, University of Hasanuddin, CoE SALUT University of Hasanuddin, Indonesia
[b] Laboratory on Forest Policy and Entrepreneurship, Faculty of Forestry, University of Hasanuddin, Indonesia
[c] Chair of Forest and Nature Conservation Policy, University of Göttingen, Germany

ARTICLE INFO

ABSTRACT

The rich literatures about land use *conflicts* make a valuable contribution by empirically describing the substance of local land use conflicts and through this making those cases accessible for research from multiple science disciplines. Those studies, however, often are descriptive in nature, and have a rather vague theoretical conceptualisation of conflict. We propose a conceptual model of conflicts that is based on political theory and the interests of political actors. It stresses that land use conflicts will rarely be *solved*, but are merely *settled* by policy and eventually its enforcement. Throughout the policy process, however, the conflict of interests will remain, while the empirical visibility of land use conflicts will vary.

This article aims to construct a framework for analysing the empirical visibility of land use conflicts, and to apply it for analysing the empirical visibility of the dispute between the Tallasa community and the national park bureaucracy in South Sulawesi, Indonesia. To test this methodology, we conducted observations and interviews. Since 2004, we have been involved both directly and indirectly with the conflict mediation process for the dispute involving the Tallasa community. The results show that the conflict between people-livelihood interests and conservation interests remains the same over forty years but regulations and visibility changed. The national park did not provide a final resolution, but instead supported both conflicting interests. In latent position, policy for enforcing existing formal regulations did not change implementation and visibility in practice. We also find that policy for enforcing a new formal regulation triggered more conflict visibility. Due to the short period of visibility, the development of regulation during the latent period remains open. We conclude that conflict visibility in political discourse and media has an impact on reformulating formal regulation.

© 2017 Elsevier Ltd. All rights reserved.

1. Introduction

There are rich literatures on different land use-related conflicts at local levels (e.g. Hares, 2009; Nie, 2006; most recently Kovács et al., 2016; Riggs et al., 2016; Sun et al., 2016; Kaya and Erol, 2016). Within this research, forest-related land use conflicts are a particularly vivid field of current research (e.g. Dhiaulhaq et al., 2014; de Vries et al., 2015; To et al., 2015; Soltani et al., 2016; Maryudi et al., 2016; Kaakinen and Lehtinen 2016; Castro and Díaz 2016, Riggs et al., 2016). These literatures make a valuable contribution by empirically describing the substance of local land use conflicts and through this making those cases accessible for research from multiple science disciplines. Those studies, however, often are descriptive in nature, and have a rather vague theoretical conceptualisation of conflict. This includes the notion of land use conflicts being potentially *solved* (e.g. Kaya and Erol, 2016; Kovács et al., 2016). Except for a few authors (e.g. Yasmi et al., 2006, 2013; Edwards and Kleinschmit 2013; Hubo and Krott 2013; To et al., 2015; Soltani et al., 2016; Castro and Díaz 2016) the existing literature contains a very limited number of investigations into different stages of *empirical visibility* of land use conflicts as well as explanatory factors for it. In contrast, we propose a conceptual model of conflicts that is based on political theory and the

* Corresponding author at: Kompleks BB Vet No. 14, Maros, Indonesia.
 E-mail addresses: yusranforest@yahoo.com, yusranjusuf@unhas.ac.id
(Y. Yusran), alif.mksr@gmail.com, muhammad.alif@unhas.ac.id
(M.A.K. Sahide), supratman.unhas@gmail.com, supratmanfhut@unhas.ac.id
(S. Supratman), adrayantisabar@gmail.com (A. Sabar), mkrott@gwdg.de (M. Krott),
lgiesse@gwdg.de (L. Giessen).

interests of political actors. It stresses that conflicts will rarely be *(re)solved*, but are merely *settled* by public policy and eventually its enforcement. Throughout the policy process the conflict of interests will remain, while the empirical visibility of land use conflicts will vary.

Empirically we examine the heuristic case of a conflict in a national park in Indonesia in order to analyse the dimensions of conflict visibility. Conservation areas in Indonesia are the most restricted areas for community forestry activities (Sahide and Giessen, 2015). Since the New Order, low public participation in designating state forest areas has weakened the central government's ability to control forest conservation (Mappatoba and Birner, 2004). Central government control is the driving factor behind the very high intensity of local conflicts, whereby native communities use the resources of conservation forests (Nurrochmat et al., 2014; Bakker and Moniaga, 2010; Fay and Sirait, 2005). This is in line with Fitzpatrick (2006) and Wollenberg et al. (2006), who found that friction between civil society and the state is typical of forest tenure and land use conflicts in developing countries such as Indonesia.

Two policy tools are important when handling local land use conflicts in Indonesia's conservation forests: 1) MoFor Regulation 56 of 2006, which relates to special zones regulating different options for utilization in national parks, and which provides legal options to communities for using forest resources for their livelihoods (Sahide and Giessen, 2015). 2) MoFor, Regulation 19 of 2007 to allow for public participation in collaboratively managing conservation areas (Mappatoba and Birner, 2004). Non state actors employ the normative bearing of these two policy instruments for raising public attention for their particular conflicts, framing the conflicts in new terms, and for involving additional actors in the process to raise the conflict on political agendas and to broaden support for their positions. All these strategic actions have a great bearing on whether or not a specific land use conflict in question is empirically visible.

However, these policies are hard to enforce due to the complex actions of various bureaucratic actors. The policies are the regulatory instruments most used by the national parks, but their enforcement is ineffective due to ambiguity over their application (Moeliono et al., 2010). The contention involves multiple contradictory interests, which is in line with bureaucratic politics theory in that bureaucracies pursue the organisational interests of survival and expansion (Niskanen, 1971; Krott, 1990; Peters, 2010; Giessen et al., 2014; Giessen, 2011; Giessen et al., 2016).

We identified some technical barriers and policy gaps that have blocked many pre- and post-agreements, which is in line with Mappatoba and Birner (2004), who report that obstacles to policy result in conflict. However, in terms of the scholarship on politics, Sahide and Giessen (2015) found that actors' interests are the driving force behind Indonesia's highly complex, fragmented state forests and the transformation policies of land use areas, including disputes over forest resources in conservation forests. We used conflict of interest utilization on National Park Bantimurung Bulusaraung (NP Babul) as our heuristic case. This heuristic case supposed to provide a narrative on how conflict was steered as latent and manifest by the actors' interest. This latent and manifest will be explored in light of political research, which is rare in forest policy sciences.

Before this theoretical as well as empirical background, we aim to construct a framework for analysing the empirical visibility of land use conflicts, and to apply it for analysing the empirical visibility of the dispute between the Tallasa community and the National Park bureaucracy in Indonesia.

2. Theoretical framework

2.1. The empirical visibility of land use conflicts − an actor-centred approach

Political science literature concentrates on the link between natural resources and weak institutions (Collier and Hoeffler, 2005). Some practical experiments have used this thesis to try to enhance the ability of (state) institutions to systematically manage conflict. In terms of recent experiments, state institutions and bureaucracies have found it difficult to react to conflict in order to satisfy their opponents. This is because bureaucracies have their own political logic. Strengthening the ability of the institution is not enough. Practical, formal, and informal interests that will drive actors' options in treating the conflicts are also required. Bureaucracies believe they have unique formal tasks through which they deliver public services (Niskanen, 1971). They also have various interests, including competing with other bureaucracies for jurisdiction over land, resources, political domains and spheres of influence (Niskanen, 1971; Krott, 1990; Peters, 2010). Bureaucracies have two main goals: 1) To provide public services using a problem-oriented delivery approach, as stated in their mandates; and 2) To pursue the organisational interests of survival and expansion (Giessen et al., 2014; Giessen, 2011; Prabowo et al., 2016). In land use politics, however, bureaucracies have been found to be rather production- or conservation-oriented (Hirsch and Warren, 1998). Conservation-oriented bureaucratic interests must rely on symbolic arguments, and are often strengthened by international land use-related regimes (Sahide et al., 2015). Sahide and Giessen (2015) predict that conservation bureaucracies will use symbolic argumentation, such as international forest regimes' rules and norms, or a complex legal system of conservation rules to deal with the interests of local communities and their supporters. Alternatively, bureaucracies might form alliances with and oppositions to district and provincial governments (Sahide et al., 2016a).

National park bureaucracies in Indonesia are conservation oriented. They face a high level of resistance from local communities living in conservation areas (Mappatoba & Birner, 2004). Under Indonesia's democratic system, these bureaucracies must involve third-party actors when mediating conflicts through an approach that includes multiple stakeholders (Hemmati, 2002; Fisher, 1995). Observing the involvement of state and non-state actors provides important insights that can be used to determine their interests in relation to managing disputes through the lens of bureaucracy.

We developed a framework based on actor-centred analysis (Krott et al., 2014), which assumes actors behave and utilise conflicts based on their interests. Influence and power will be a central part of the analysis in terms of observing how these conservation-oriented bureaucracies, production-oriented bureaucracies and hybrid bureaucracies' function (Sahide and Giessen, 2015).

The actor-centred analysis framework places actors and their interests at the hub of the conflict agenda, whereby actors use their power and influence to gain control of the situation and affect the circumstances. Influence is exerted via information and power (Krott, 1990, 2005). Power is the ability to shape a political agenda according to one's own interests, even when facing resistance from opponents and other actors. Weber (1922) describes it as the 'probability that one actor within a social relationship will be in a position to carry out his own will, despite resistance' (p. 152). Krott et al. (2014) describe the three core elements of power as follows: 1) coercion, which they define as 'altering the behaviour of the subordinate by force'; 2) (dis-)incentives, which involves 'altering the behaviour of the subordinate by means of disadvantages or advantages'; and 3) dominant information, which means 'altering the behaviour of the subordinate by means of unverified information'.