

# *Territorial Claim Field*

## *(Study of Political Ecology on Indigenous Peoples in Gold Mining Area Gunung Botak)*

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**Abstract** - The study aims to analyze the extent of spatial territorial claims committed by indigenous peoples and migrants as one of the family's livelihood strategies. The paradigm used is constructivism, with a single case study method that focuses on territorial claims by indigenous peoples and migrants as one of the family's livelihood strategies. The results show that the territorial claims of field constructed by the indigenous peoples of Buru Island are more dominant in the physical territorial claims of field. Because for them the natural resources of gold mining is an *Ulayat Right* that needs to be maintained as an identity. As for the community of immigrant claims territorial field that is built more non-physical or discourse/issue that the mining area is open access area. Economically, the results of these territorial claims are more beneficial to migrant communities than indigenous peoples because they have networks, venture capital and skills.

**Keywords**- Territorial Claims; Field; Indigenous Peoples; Mining Gold.

### I. INTRODUCTION

Research on the claims of territorial field as physically has been studied mainly on the claim: cultural diversity and the preservation of the environment of indigenous peoples, the rights of indigenous land, local resources, self-determination, identity, the places they inhabit, and the continuity of history. The essence of their claims to land and territory in the context of conceptualization particular in relation to the different nature with the modern environment (see, [1]; [2]; [3]; [4]; [5]; [6]; [7]; [8], [9]; [10]; [11]; [12]; [13]; [14]; and [15]).

Even [16], said the conflict in the mining area associated ranges six issues, namely: (a) the ownership of the land; (b) compensation 'unfair'; (c) the distribution of resources is not fair; (d) environmental degradation; (e) an indication of poverty; and (f) human rights violations. Even [17], said that if the right of ownership is controlled by a group of rights, then access is controlled by a group of power. More power plays than in making benefit claims on a resource. A group of people may not have any rights under applicable law, but

the power attached to it allows it to access the resource, even made a claim of ownership or determine the structure of control over these resources. Furthermore it is said that the right to appear as a claim that is legitimized by a set of social recognition that manifests itself as a law, customs, and conventions, a set of social recognition is a consensus that the starting point of the practices of hegemony by means of repressive and coercive [18] and subjugation-subjugation subtly [19].

Since the first, the indigenous people of Buru Island (Bupolo) divide the field/territory of Buru island on three parts namely; (1) protected area because of its value of sacred. These areas include Mount Date, Lake Rana, and sacred sites in primary forest, (2) planted areas, encompassing settlements, gardens, hunting or gathering forests, eucalyptus forests and fishing grounds, and (3) unoperable areas, the former garden (*a'ong*) and grassland (cylindrical imperata).

In addition, the Bupolo people live separately in groups in a settlement called *Humalolin*. One *humalolin* consists of 3-5

homes following a sago grove pattern. The *Bialahin* leader is called Basa Fena or *Gebakuan* occupying the middle position and surrounded by its members. During the life *Gebakuan* he has determined his successor, because the power of *Gebakuan* is held until he dies. Some *Bialahin* join and live to form a larger residential field called *Fenalalen*. But in *Fenalalen* they still live in groups according to *Bialahin*. The essence of the conception and understanding of the environment with various customary rules is intended to benefit and at the same time maintain the value of the existence of the unit of the region which is already an identity that must be maintained. Over time, there have been several events depicting the unilateral deprivation of customary rights by the immigrants and the government as follows:

- (1) In 1969, the Government of Indonesia established this island specifically in the Waeyapo Plain as a concentration camp of G30S/PKI political prisoners, with a placement of approximately 14,000 people. The area of detention which was first called Tefaat (Place of Utilization) until finally called Inrehab (Installation Rehabilitation) is, by the indigenous people (*autokton*) also joined in captivity due to the application of layered security system. By the New Order government claimed as state property. Though the place is a food warehouse for *autokton* Buru Island, because there is a sago plant habitat (*Metroxylon sagu*, *Arecaceae*). Sago is a staple food of the Bupolo people. The ecology of the area has drastically turned into a rice field area for wetland paddy plants to date. The Bupolo people completely lost their property. As a result, the sago plantation area is decreasing and forcing them to gather the forest in the distant distance. When the Bupolo people regrouped the forest, at the same time the military used the Tapol to cut down trees for building materials and furniture.
- (2) In 1970-present, the New Order government set the idea for massive exploitation of forests by granting formal authorization from the state in the form of forest concessions to entrepreneurs. The presence of HPH as a modern economic figure in the middle of the wilderness of Buru Island has had a major impact on the nomadic living *autokton*. The characteristics of alienated and isolated life in mountainous areas are immediately faced with the choice between waiting or keeping the sacred area where their ancestors reside with the right to clear the forest that has been officially given the state to the HPH concessionaire. The position of *autokton* is very clear to be weak and

inferior both before the law of the state and the perpetrators of modern economy. What happens is the disequilibrium competition. As a result the dynamics of *autokton* life becomes disrupted. HPH entrepreneurs can put up bulletin boards inside the jungle area just to prohibit *autokton* from entering hunting and gathering activities in the forest.

- (3) In 1979-2006, by the central government, this region was used as a transmigration placement area. Where in the period has been placed as many as 5,891 heads of households in 6 stages of placement. In those periods of time there has been a seizure of customary rights of indigenous peoples very unilaterally committed by the government. For indigenous peoples these events are the greatest offense ever felt, and a bad history that has never been forgotten.

In addition to the above three events in 2012 when found gold mine located at the foot of the Gunung Botak, there are efforts of migrant communities to master this resource. This is illustrated by approximately 15,000 migrants from various tribes in Indonesia, whether they work as investors, mining material providers, commercial sex workers, gold buyers, miners, mining processors (traders of tromol), traders and so on). Similarly, government intervention (local government and legislative) with various rules and legislation related to mining and licensing.

The whole event above is a reality that must be faced by the people of Bupolo which will give a new impact in the internal relations between them. This means that it will affect the control of natural resources because the ownership is controlled based on customary law by kinship group. It can be said that there is a kinship group who's Ulayat Rights become narrow or diminished. Therefore, this study attempts to answer the question of how territorial claims in the mining area by indigenous peoples and migrants as one of the family's livelihood strategies?

## **II. RESEARCH METHODS**

This study uses qualitative methodologies, with a constructivism paradigm, which emphasizes that reality is constructed and socially constructed [20]. In this case every individual (including indigenous households) needs to be seen as a reality that helps build social reality. The implication is that poor people or households are active subjects and actors who participate in development so that they should not be ignored but should be involved from planning to implementation and evaluation of each development program and activity. Therefore, the study

method that will be used is Participatory Action Research [21]. The PAR approach has two interrelated sides namely study and action.

The nature of research is subjectivism, objectivism, and historic that serve as a guide determine informants. The use of structuralism-constructivism perspective is also aimed at the reading of the social reality by the researcher reflects a dialectical process of internalization-externalities and externalities-internalities. The process of dialectics is an attempt to understand the objective structure that exists outside the social actors (exterior) and everything that is attached to the social actors (interior).

The respondents were taken using snowball sampling method. Where the respondent includes; indigenous peoples (traditional chairman and indigenous leaders) and migrant communities (miners, financiers and local governments). Data taken, using in-depth interview, focus group discussion and direct observation in the field. The study sites were chosen based on several considerations: (1) there were thousands of migrant communities coming to the study site to mine, (2) having a plural society (indigenous peoples and immigrants), (3) describing the occurrence of a conflict of interest in the mining area linked to livelihood strategies. This research is at the institutional level so that the unit of analysis used is the community. In relation to economic institutions, especially rural livelihood strategies, this study

captured household members of the community to see the dynamics of their livelihood strategies.

**III. RESULTS AND DISCUSSION**

**1. Indigenous Buru Objective Conditions**

**A. Before Mining**

Prior to the gold mines in the region, the majority of indigenous communities Buru household livelihood as farmers. This is motivated by the availability of natural resources (land) that is highly available and promising. As farmers, they mostly seek annual crops such as cloves and nutmeg which is one characteristic of the Moluccan community in general. Of land area also depends on the ability of farmers concerned. These efforts for indigenous peoples, is settled that stems from the garden/farm planted with food crops. Having perceived the land is no longer arable crops, only then planted with annual crops, which is then set as the settled farming systems *Dusung* system [22]. The education level of the local community according to data from the national education districts of Buru in 2011 namely: not completed primary school (50%), graduated from elementary school (25%), graduated from Junior High School (15%), graduated from high school (8%), and graduate diploma (2%). Further on economic conditions, nearly 100 percent owned by immigrant communities (see table 1).

**Table 1. Economic Conditions of Indigenous Peoples in Buru Island**

<b>Description</b>	<b>Identity Economics</b>	<b>Ethnic</b>
Trading	<ul style="list-style-type: none"> <li>• Distributors</li> <li>• Retail and agricultural products</li> <li>• Restaurants, cafes</li> </ul>	<ul style="list-style-type: none"> <li>• Javanese, Bugis / Makassar, China</li> <li>• Javanese, Bugis / Makassar, China</li> <li>• Javanese, Bugis / Makassar, China</li> </ul>
Production and Services	<ul style="list-style-type: none"> <li>• Agriculture, Livestock, Fisheries, Forestry</li> <li>• The services of labor (bureaucracy, labor, transportation, and others)</li> </ul>	<ul style="list-style-type: none"> <li>• Java, Private</li> <li>• Tailored to the ruling ethnic basis</li> </ul>

Source: Kakisina L.O. (2015), adapted to the research [23].

In addition, there are also important historical events experienced by these citizens is (1) the appropriation and plunder of thousands of hectares of forest products such as meranti, in the year 1969 to 1979 when the area was used as a place of detention (concentration camp Tefaat-Buru) for 14,000 people involved G.30 S/PKI by the Soeharto government [24]. And when the dissolution of the detention camp this in 1979, with the permission of the central government this region subsequently used as a place for dozens of private entrepreneurs for development of industrial timber estates (HTI) and Tenure Forest (HPH) to the present,

(2) authorization by the government center by placing 5,891 family heads Transmigrant the island of Java, which is done as much as 6 times placement since 1979-2006. These events lead to the indigenous people have lost tens of thousands of hectares of fertile agricultural land hers.

**B. Gold Mining Post**

In this period can be regarded as a period of revival for the local indigenous community. This is evident not only has been a change to their livelihood, but also his family economic improvement and increased education of their

children. Say once they are farmers, now has become a businessman stall, stall, ownership of means of transportation even have the means of public transport and decent housing. There was also found to be almost the entire indigenous people have to send their children out of the area, even outside the province of Maluku. Overall these tertiary assets they have since their gold mining in the region. Therefore it can be said the gold mining period for the indigenous peoples in this region is the golden period that had never felt before.

Since the presence of gold mining in early 2012, through the elements of the Mat Gugul indigenous (traditional leader), kings, and heads *Soa* and so do the discussion to anticipate problems while appearing. Then in March 2012, formed an organization called "traditional institutions", which its staff is composed of the heads of customs and customs administration staff of the entire indigenous village in the district of Buru. The main purpose of the formation of this institution is to maintain and manage their own natural resources Gunung Botak gold mine, so it can be a source of livelihood for indigenous peoples in the region.

In the first period (March 2012), formed after the traditional institutions issued several policies: (1) any person (especially immigrants) who wish to enter the mine or mining area shall pay a total of 100,000 for a single entry, (2) Each entrance mine area (there are several entrances), shall be kept by indigenous people/children of indigenous, (3) for the security forces (Soldier/Police) assigned by the local government to maintain security in the mining area, the boundary custody before the mine entrance (not in place where the indigenous people to keep the door). In the period of 9 months, has collected tens of millions of rupiah, which is further divided equally among all the indigenous villages.

In the second period, the policy/rules issued namely; forms of levies in the form of Mine Card (KT) and Kijang Card (KK). The mine entrance card price applies to both indigenous people and migrants, amounting to Rp.750.000/3 months. While Kijang Card (mine material bearers) are subject to price Rp.1.000.000/3 months. In January to May 2014, the total money that goes to the traditional council of Rp. 26 billion. The strictness of this mechanism in order to maintain the sustainability of living as well as efforts to defend his rights as a single manager against the mining area. This optimism was purposely built between them so as illustrated by outsiders (migrants and governments) that attempts to suppress or takeover of the mining area is impossible. By [25] who said that increased pressure on land and other natural resources occupied by indigenous peoples has led to the revival of indigenous peoples over their rights.

Land and natural resources has generated a lot of debate on the rights of indigenous peoples and the government. Even [26], that the local perception is that almost no trickle-down of mining benefits for local people to improve their lives.

The polemic that occurred in the area of Gunung Botak gold mine, where the government has the right to manager in accordance with the applicable legislation. On the other hand indigenous peoples are also entitled to manage because it is customary rights. Based on these problems then exit that must be taken is in accordance opinions [27], that the state can only restrict the rights of indigenous peoples to their lands, territories and natural resources if such limits are set accordingly (1) law proportionate to achieve a legitimate aim in a democratic society and (2) when the states considering a project in indigenous territories that could affect the rights over their natural resources, it is necessary to: (a) ensure the effective participation of members of indigenous peoples or tribe, in accordance with their customs and traditions, in the approval of development plans, exploration or extraction; (b) ensure that indigenous peoples or tribes will receive a reasonable benefit from any such project; and (c) ensure that there are no approved projects in indigenous or tribal territories, if the technical supervision of the environmental and social impact assessment conducted by an independent party (not the state).

## **2. Claim Territorial Strategies Lounge Livelihoods**

### **A. Clash of Perceptions and Conceptions of Natural Resources**

Since the mining on Gunung Botak gold mine area, there are two opposite sides, that some think gold mining as a gift from the ancestors so that needs to be maintained as a source of well-being of the family and some think anyone has the right to mine or open access.

The first perception is commonly seen in Buru Island among indigenous peoples. Therefore, since the discovery of gold mines in the region, namely Gunung Botak, communally they do blocking. Even with the powers that be they claim the region as a way to master it and make it as one of the main livelihood for his family. This is in accordance opinions [25], that the natural resources, especially land inhabited by indigenous people often have a low population density but the natural resources are abundant. For that, many actors have historically attempted to occupy the lands or the use of resources in it. Thus increasing the pressure on the land occupied by indigenous peoples has led to the revival of indigenous peoples over their rights to land and resources generated a lot of debate over indigenous rights to land and self-government.

The second perception is generally carried out by outsiders or migrant groups (migrants, outdoor community and local government). Perceptions are built that wherever in the Indonesian region every person has the right to get a job to improve the welfare of their families. Wherever, including Gunung Botak gold mining region. On the other hand the government also has more rights to manage natural resources including gold mining. This corresponds to an increase in revenue (PAD), which indeed supported by legislation. Once prospective mining sector is not surprising then invite interested investors to take profit from the natural resources that had been maintained by indigenous communities. To smooth this mining practice, ordinary investors use the services of local governments as the entrance to the licensing process and then packaged to increase revenue (PAD) for the prosperity of society.

Differences in conceptions and perceptions that later gave birth natural resource-based conflict that is increasingly enlarged as the rhetoric of resistance of indigenous peoples to fight for ecological justice field. Meanwhile, according to the immigrant population, who are also entitled to mine in mining areas as a source of family income.

#### **B. Public Response as Rhetoric Resistance.**

Article 70 of Law No. 32 of 2009 concerning the protection and management of the environment has stated that the public has the right and equal opportunity and as much as possible to take an active role in the protection and management of the environment. The law describes social participation in the form of social supervision, giving suggestions, suggestions, opinions, objections, complaints, information, and reports.

In reality, however, the indigenous people of the island are only mere rhetoric that has never been actualized. Even what is his right to play an active role in the protection and management of his environment and as one of the livelihoods of his family is also taken by the government. The real effort made by the local government of Buru district and related offices is to request the dismissal and takeover of mining management from indigenous peoples.

This government takeover effort as described by [28] is a transformation of the primordial sentiments of "old societies" in the context of the existence of a "new state". New countries have major projects to build national integration, including through the development of national awareness of the population as a whole. Also, [29] states that the existence of a nation state, as a state built and maintained by its people, will be determined not by the presence or absence of ethnic

identity and ethnic identity, but is determined by the presence of human beings who still want to merge there with the identity of the citizens he chooses, regardless of the origin of his descendants.

According to him, in reality as seen in the experience of Indonesia under the New Order regime, the way government governs how national awareness is owned by the population with primordial identities is done by force and social engineering, including through development projects of the government and companies giants working with land concessions, mining, plantations, forestry obtained from the central government. What happens is the transplantation process, not the transformation, the national imperatives imposed on the primordial sentiments of local communities. Ironically, the transplantation process resulted in chronic citizenship problems, in the absence of a convenient route for the "old societies" to enter integration into the nation state of Indonesia.

Indigenous peoples assume that natural resource ownership is a structural, chronic and widespread problem that indigenous peoples are still treated as mere subjects and have not been treated as full citizens. Indigenous peoples have not been able to participate fully in development and socio-political processes as subjects, including enjoying the results, because the basic rights that become a condition of their survival have not yet been fulfilled. The principle of The Last but not the least, what is needed now is the willingness of the power bearers to rectify the grounds for the denial of the existence of indigenous peoples and their rights of origin which is their constitutional right as citizens. As [30] notes that state recognition of indigenous peoples' land rights is essentially a reflection of the willingness of the state authorities to recognize the existence of autonomous indigenous peoples, and subsequently to recognize the rights of indigenous peoples land and all natural resources of vital value to ensure the physical and nonphysical sustainability of the community.

The turbulence between government and indigenous people in natural resource management should be done objectively. Whereas the owner of natural resources should be applied fairly and not just arbitrarily by the government as the holder of power. This is what [31] says that the recognition, respect and protection of indigenous and tribal peoples shall be initiated by settling disputes/ conflicts related to indigenous and tribal peoples. Without it, the implementation of the principles of justice and democracy is futile and the recognition and respect and protection of indigenous and tribal peoples is merely rhetoric.

### C. Political Ecology Field Study Claims

Committed to the debate between indigenous peoples and migrant communities to efforts to master the Gunung Botak gold mine, just as [32] which stated that the settlement between the State and indigenous peoples in the political ecology of field, into something that is temporary and reflects the consolidation process hegemonic field that basically unresolved.

That the fact that the case against the mastery of gold mining area of Gunung Botak, if examined from a political ecology aspect of field, shows that the claims physical field that gold mining area, Gunung Botak, won by the indigenous peoples. This is evident since it was discovered in early 2012, local indigenous communal form of traditional institutions aimed at blocking the area of migrants who want to work in the region. Concrete effort of limiting the immigrant population which impose Mine Card and Kijang Card (mine material bearer) for immigrant communities who want to work in the mine area. Mastery of physical field to this mining area in order to maintain her identity as indigenous children against all natural resources administration ancestors. This corresponds to the opinion [33], that it is generally recognized that the relationship to the land formed the basis of identity of indigenous peoples, and cultures of indigenous peoples. If it cannot be maintained or controlled at a certain level over land and other natural resources, then they will lose their identity.

On the other hand, migrant communities (including local government), it is also assumed that the mining area is an open access area, where anyone has the right to work and earn profits. Against these assumptions, since the mine has come tens of thousands of citizens who come from almost all parts of Indonesia. As one of the sources of livelihood, migrants who work as (miners, mine material bearers, vendors, gold buyers, financiers and others), they are also trying to control the gold mining region of Gunung Botak. Effort to control mining areas which generally are non-physical, is generally done by building a discourse on the opinion or actual mining ownership by law belongs to the State and who are entitled to work here without having to pay Mine Card and Kijang Card. In addition they also build issue that the mining area frequent acts of violence and other acts a moral indigenous peoples as the owner of a gold mine. Even with their efforts, the local government in cooperation with the security forces to take over the management of the gold mining.

One of the efforts that are not suspicious of indigenous peoples is established cooperative mines. With conditions,

the results of operations of the cooperative will be cut by 5 percent to revenue (PAD). Against attempts claims that are non-physical field is, by indigenous peoples constitute a serious concerns about the takeover of the management of his gold mining. This is in accordance opinions [34], that the state is a political organization that claims and a monopoly on the legitimate use of physical in specific geographic territories. It defines the territorial sovereignty of the political identity as a citizen and a basis for the state to claim the people and natural resources in the territory in its sovereignty.

Other efforts of actors' migrants are issues or opinions in order to master this natural resource that is to build cooperation amongst them (immigrants), especially in relation to mining. The form is when digging pit mining all workers not to involve indigenous peoples. But only involves good fellow migrant communities in activities such as extracting, transporting mining materials, process mining material and even purchase accommodation for such activities. Based on the cooperation in economic corner are mastered, such as the distribution of returns. Which are generally subject to any mining working group consisting of six people, the indigenous peoples concerned only an indigenous people as the owner of the mining pit. Which in the distribution of indigenous peoples have only one section (1/6) while the migrant communities got 5/6 part.

Not only to the division of the results of operations, other related economic benefits as a result of the formation of the issues/opinion is the high price of various needs. Such as the need for food, transport as well as determining the selling price of gold. For the price of gold itself, in the study area generally dominated by immigrant communities with price applied fairly in their favor. For example, the selling price of gold in the city of Ambon per gram of Rp.400.000-450.000, in the study area of gold purchased immigrant communities only around Rp.300.000-350.000 per gram. Another picture showing the victory due to the impact of claims issues/opinion is that existing market share in the area of Gunung Botak gold mine. Where nearly 100 percent owned by immigrants, both from traders in Namlea well as those coming from the city of Ambon.

Mastery or claims issues/other perceived opinion of outsiders is controlled by the safety factor. Opinion built are indigenous people often commit extortion and terror against settlers, because indigenous people are masters of the region, and will escape to the forest if caught. Against these efforts, by the local government as security forces (military and police) to maintain security in the mining area. This

engagement resulted; some of the benefits of the bill (cards and card mine kijang) must be given to the security forces.

Claims against various forms of opinions/ issues generally indicates that mastery of Gunung Botak gold mining is very profitable for the indigenous people if viewed in terms of the economy. This is what [35], that the territorial claim is closely related to social relations by establishing a structured aspirations and the possibility of producing the control over the territory. As well as the [36], said the territorial claims are individuals or groups attempt to influence, control the people, building a phenomenon, and the relationship with the restrictions and assert control over the geographical area.

#### IV. CONCLUSION

Since the Gunung Botak gold mine in early 2012, both indigenous as natural resource owners and communities immigrants who came to work in the area of mutual claims to be one of the sources of livelihood of the family. Claims territorial field made by indigenous peoples over the territorial claims of physical field. This is due to the natural resources Gunung Botak gold mine is customary rights

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