

AGRARIAN CONFLICT CULTIVATION RIGHTS PT. PAGILARAN WITH FARMERS IN BATANG DISTRICT

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Abstract

This study aims to identify the causes of conflict between PT. Pagilaran and the community in Batang Regency over land owned by PT. Pagilaran comes from the concession with revealing theories that support the causes of conflict and studies how the dispute is resolved. This research is normative juridical research with a descriptive-analytical approach. The research results obtained: First, the cause of the emergence of Cultivation Right disputes is the claims from farmers that they once controlled part of the Cultivation Right land, the absence of compensation at the time of land acquisition, and the negative view of the community towards PT. Pagilaran and some parties facilitate claims efforts, as well as repressive actions from the company through security forces. Second, efforts to resolve the dispute are carried out both through channels outside the court, through efforts to seek support from policy-making institutions, and through re-data collection of biological data on PT. Pagilaran looked for opportunities to strengthen the position of farmers who once controlled the land and settlement through the courts in the form of legal action for the perpetrators of marking, plotting, and damage to land and plants in the Cultivation Rights area but did not resolve the core issues of the dispute. This study suggests that rural conflict resolution requires a holistic approach by paying attention to regulatory, human rights, contractual, and environmental aspects of resolving conflicts.

Keywords: Conflicts, Land Tenure, Agrarian Affairs, Cultivation Rights

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INTRODUCTION

The modified version of Article 33 paragraph 3 of the Constitution of the Republic of Indonesia (UUD) from 1945 makes it very clear that "Earth and water and the natural

resources contained therein are controlled by the state and used for the greatest possible benefit of the people." The contents of this article therefore gave rise to the Basic statute on Agraria (UUPA), which is a very spectacular statute that is 56 years old and has not been changed or amended in any way. The law has remained unchanged during its entire existence. Because land, its contents, and the things that are on it are so important to the global economy, the provisions of the law are very forward-thinking and were really crafted solely for the benefit of the general populace rather than for the benefit of the ruling elites and businesspeople. It is something to be proud of because the concept of separating the subject of land and all forms that can be found on it has been known to the people of Indonesia for a very long time, long before written law arose. This concept was accommodated in customary law and given the name the principle of horizontal separation.

The term "agrarian" originates from the Latin word "agrarius," which means "cultivation," "rice fields," "agriculture," or, in other words, "anything related to land issues." The English word "agrarian" was derived from this Latin word. The word "ager" is where the English word "agraber" originates from; in Dutch, the word "akker" is used "akker".¹

Agrarianism is defined as "the affairs of agriculture or agricultural land, as well as matters pertaining to land ownership" in the Big Indonesian Dictionary. Agricultural land is also included in this definition. In the meantime, the word "agrarian" in English is defined as land and a relationship with agricultural land enterprises in Black's Law Dictionary.² According to Boedi Harsono, the phrase "agrarian law" is frequently used to denote different sets of legal regulations that try to form divides over huge regions of land in the framework of a more fair distribution of authority and ownership. These regulations can be found in many different countries.³ In its current development, the concept of agrarian has incorporated a more expansive meaning than the concept of land; nonetheless, the definition of agrarian does cover the subject of agricultural land as part of its scope of applicability.

The concept of agricultural is employed in a fairly broad meaning according to the perspective of the Basic agricultural Law; the Basic Agrarian Law considers earth, water, and the natural resources contained therein to be part of the realm of agrarian (see Article 48). In order to live, humans require the usage of both the subterranean regions of the ground as well as the water and air that are located above them. It has been emphasised in Paragraph 2 of the Basic Agrarian Law that land rights not only give the authority to

¹ Siti Chadijah, Dwi Kusumo Wardhani, and Ali Imron, 'Kebijakan Reforma Agraria Terhadap Lahan Pertanian Di Kabupaten Tulungagung', *JCH (Jurnal Cendekia Hukum)*, 6.1 (2020), 91–103 <<https://doi.org/10.33760/JCH.V6I1.286>>.

² B.F. Sihombing, 'A Juridical And Historical Review Of Agrarian Reform In Indonesia', *Sisdam.Univpancasila.Ac.Id*, 2017 <https://sisdam.univpancasila.ac.id/uploads/repository/hasil_review/Hasil_Review-01102021141227.pdf#page=16> [accessed 28 April 2023].

³ Boedi Harsono, *Hukum Agraria Indonesia (Sejarah Pembentukan UUPA) Isi Dan Pelaksanaannya* (Jakarta: Djambatan, 2008).

use a specific portion of the earth's surface in question, which is called land, but also the body of the earth beneath it as well as the water and space above it. This is because land rights do not just give the authority to use land.

The following are some of the definitions of land that can be found in the Big Indonesian Dictionary:

1. The surface of the earth or the top layer of the earth
2. The state of the earth somewhere
3. The boundary surface of the earth
4. Materials derived from the earth, or the earth itself considered to be a material (sand, rock, marl, and the like).

The term "agrarian law" refers to a collection of distinct areas of the law, each of which governs the tenure rights associated with different types of natural resources. The following subjects are covered by this group:

1. Land Law; the regulation of tenure rights over land in relation to the earth's surface;
2. The Water Act, which governs tenure rights in relation to water resources
3. Mining Law; Regulate the Rights of Control Over the Minerals, as Referred to in the Basic Mining Law; Mining Law
4. The Fisheries Law, which governs and regulates the rights of control over the natural resources found in the water
5. Article 48 of the Basic Agrarian Law refers to the rights of control over energy and components in space, which are regulated by law number 5.

A nation is said to be wealthy and fruitful when it produces an abundance of commodities or food. One of these goods or foods is plants, which can include rice, fruit, and flowers. One of the occupations that falls under the category of agriculture is that of a farmer, whose primary concentration is on the management of land with the end goal of producing a product that may be either sold or created for oneself. The government grants rights to separate states, citizens of Indonesia and non-citizens of Indonesia, groups of individuals that are together or have legal entities, and legal entities that are either private or public.

Because humans derive their existence from the land and depend on it for their food supply, the agrarian crisis (also known as the land issue) is directly relevant to human health and well-being. As a result, humans are willing to make sacrifices and wage conflict in order to acquire territory and protect their lives and their means of subsistence.

Freud stated that the primary challenge of human existence was to preserve one's own life as well as future generations".⁴

One of the numerous places in Indonesia where plantations are maintained is the Batang Regency in the Central Java Province. This region is located in Indonesia. Tea plantations in Batang Regency itself are not immune to legal conflicts, particularly those involving the Right to Cultivate or the Right to Use. Land disputes in plantations and the distress experienced by populations located near plantations are inextricably linked. According to the findings of a study conducted by the Agrarian Reform Consortium (KPA), which was conducted in 1993, approximately 3.80 million hectares of land was under the hands of huge plantations. Only 1,206 companies, including state-owned, private, and other types of business, have ownership or control over the land area. Plantation corporations are then granted the right to exercise control over these lands, either in the form of a Right to Use, Right to Build, Right to Use, or other rights, or without the legal acknowledgement of any rights. According to the records kept by the BPS, approximately 82.87 percent of the land in the nation is owned by plantations in the form of Right to Use.⁵

In many cases, the beginning of a dispute between a plantation party or the prospective ruler of the Plantation Cultivation Right and the people who have long controlled the land is the issue of designating the land as state land. However, in this scenario, the dispute that arises is between the people and the plantation company because of state land claims. Another contentious issue that arose was the question of awarding usufructuary rights to plantation firms over a number of areas that were claimed by automatic rights at the same time as the nationalisation strategy of foreign plantation corporations in the 1950s. This was a source of contention for both parties involved.

According to Article 34 of the Basic Agrarian Law, disputes over land in plantations can be caused, among other things, when the purpose of granting usufructuary rights is no longer in accordance with the actual reality, such as when the exploitation is not longer carried out properly or when the company is handed over to another party for more than one year.

This study, which is based on the description that came before it, aims to answer the question of what caused the conflict between PT.Pagilaran and the people in Batang Regency over the land owned by PT. Pagilaran that comes from the concession, reveal theories that support the causes of conflict, and study the flow of how the conflict is resolved. Based on the description that came before it, this study tries to answer the question of what caused the conflict. In addition, the purpose of this study is to offer recommendations for the resolution of agricultural conflicts, particularly those concerning the rights of businesses to own land.

⁴ Mochammad Tauchid, *Masalah Agraria Sebagai Masalah Penghidupan Dan Kemakmuran Rakyat Indonesia* (Yayasan Bina Desa, 2011).

⁵ Tim Lopera, *Prinsip-Prinsip Reforma Agraria, Jalan Penghidupan Dan Kemakmuran Rakyat*, *Cir.Nii.Ac.Jp* (Yogyakarta: Pustaka Utama, 2001)
<<https://cir.nii.ac.jp/crid/1130011296573917197>> [accessed 28 April 2023].

RESEARCH METHODS

This research falls under the category of normative legal analysis since the concerns or themes that have been brought forward as research topics fall into that category. The method of research that was carried out was philosophical and analytical. This type of research is characterised by its emphasis on logical viewpoints, critical analysis, and philosophy. It culminates in conclusions that make an effort to develop new findings as answers to the primary issues that have been identified.⁶ In this type of normative research, data is not known because, in legal study, especially normative juridical sources of legal analysis are obtained from statutory documents and literary documents (books, journals, reports, and internet sources), not from the field; for this reason, the term "legal material" is known. In addition, the term "legal study" comes from the Latin phrase "lex scripta," which literally translates to "written text." Literature is the primary source of information used in normative legal research, even though this type of legal information is more commonly referred to as secondary legal material.⁷ In this context, the method of analysis that was utilised was a descriptive-analytical one. Specifically, it described the relevant laws and regulations in relation to legal theory and positive law enforcement practises in connection with the issue.⁸

RESULTS AND DISCUSSION

"Conflicts or discrepancies between the parties who will and are working on cooperation" is the definition of a scenario or circumstance known as "conflict".⁹ Land cases, as defined by Rusmadi Murad, are comprised of land issues as well as land conflicts. Land issues are "more technical in nature, the resolution of which is sufficient through technical instructions to the implementing apparatus based on applicable policies and regulations," whereas land disputes are disputes that occur between two or more parties because they feel their rights and land tenure have been disturbed, and they are resolved through deliberations or courts. Land issues are "more technical in nature," and the resolution of land issues is sufficient through technical instructions to the implementing apparatus based on applicable policies and regulations".¹⁰

Differences in the perceptions of each party in viewing interactions with land make land conflicts more complex. For the community, land is a source of life and livelihood. In the view of land entrepreneurs, land is a means of production that must be

⁶ Ishaq, *Metode Penelitian Hukum Dan Penulisan Skripsi, Tesis, Serta Disertasi*, ALFABETA, Cv, 2017.

⁷ Soerjono Soekanto dan Sri Mamudji, 'Penelitian Hukum Normatif Suatu Tinjauan Umum', in *Rajawali Pers, Jakarta*, 2007.

⁸ Peter Mahmud Marzuki, *Penelitian Hukum, Edisi Revisi, Cetakan Ke-12* (Jakarta: Kencana, 2016).

⁹ S Sarjita, *Teknik Dan Strategi Penyelesaian Sengketa Pertanahan* (Yogyakarta: Tugujogja Pustaka, 2005)

¹⁰ Yudha Chandra Arwana and Ridwan Arifin, 'Jalur Mediasi Dalam Penyelesaian Sengketa Pertanahan Sebagai Dorongan Pemenuhan Hak Asasi Manusia', *Jambura Law Review*, 1.2 (2019), 212–36 <<https://doi.org/10.33756/JALREV.V1I2.2399>>.

exploited. Coupled with the constant amount of land area and increasing population growth, land conflicts are increasingly complex.

The different perspectives held by each side on how they should perceive their interactions with the land contribute to the complexity of land conflicts. The land serves as a source of both life and a livelihood for the community. Land is seen as a tool of production by land entrepreneurs, and as such, it should be utilised to its full potential. Conflicts over land are becoming more difficult to resolve as a result of both the steady increase in land area and the continuously rising population. In the years 1947 and 1948, the Dutch banded together with their allies, the British, in an effort to win back control of the plantation holdings located in the Batang Regency. The land that was administered by the Dutch colonisers covered a total area of 663 hectares. This figure does not include the 450 hectares that were worked by the local farmers. Law Number 86 of 1959 (State Gazette of 1959 Number 31 about the Nationalisation of Dutch-Owned Companies) was passed in 1959 and established a policy for the nationalisation of plantations in Indonesia. This law was published in the State Gazette of 1959. Because the Pagilaran Plantations had already been handed over to the British government, and because the Pagilaran Plantations were exempt from being nationalised.

After being wrested from the control of the British with the assistance of the residents of the area in 1963, when the lease period for the Pagilaran Plantation Company came to an end, the plantation was then under the management of the Indonesian government. In addition, after passing through the hands of the Indonesian government, the business was able to eventually change its name to PN. Pagilaran, and it now has an area of control that is around 663 hectares. Pagilaran, which has an area of 839.19 hectares and was transferred to Gadjah Mada University in Yogyakarta with the Letter of the Minister of Agriculture and Agrarian Affairs Number SK II/6/Ka-64, was given to the university. As a result, there was an additional area of 173.19 square kilometres added to the plantation once it was liberated from British control. At that time, the farmers continued their work on the land by cultivating it. After the events of the G 30 S PKI in 1965, the land outside of the Cultivation Right area that had been given in 1964 would be taken over by the Plantation Party under the guise that it was the land of the former PKI. This was done on the pretext that the land was the land of the former PKI. The total amount of agricultural land that was illegally appropriated was 450 hectares, and it was dispersed over the five communities. They have lost their ability to access agricultural land as a result of the landowner's actions.¹¹

Because of this, the farmers eventually succeeded in reclaiming the areas that had previously been cultivated by them. Farmers who have historical claims on clearing woods that have become plantation land are the farmers who carry out the reclaiming.

1. Farmers who have historical claims on clearing forests that have become plantation land.

¹¹ Pahlefi Pahlefi, 'Sengketa Tanah Hgu Antara PT. Pagilaran Dengan Petani Di Kabupaten Batang Provinsi Jawa Tengah', *Jurnal Ilmu Hukum Jambi*, 2.2 (2011), 43262 <<https://www.neliti.com/publications/43262/>> [accessed 28 April 2023].

2. Peasants who fought in the guerilla struggle for independence but have no historical title to the land; they were there as supporters of the war.
3. Farmers who are a blend of the first two types of farmers discussed above

Alternative dispute resolution, also known as non-litigious conflict resolution, is the process of resolving legal disagreements through means other than going to court, such as mediating or negotiating. The term "negotiation" refers to a process in which two or more parties, some of which may have interests that are in conflict with one another, meet and talk with the goal of coming to an agreement.¹² Gathering information, establishing goals and priorities, keeping track of parties and the case, building a negotiation strategy, being aware of the constraints or limitations of the given mandate, and evaluating the repercussions of failure are all components of preparation. The farming community in Batang Regency that participated in reclaiming (reclaiming) came together in January 1999 to form a farmer organisation that was given the name Association of Victim Farmers PT. Pagilaran (P2KPP), and it was officially founded at that time. This organisation is a forum for farming communities from five villages (Keteleng Village, Kalisari Village, Bismo Village, Gondang Village, and Bawang Village), and its goal is to reclaim land that belongs to those who has been taken by PT. Pagilaran. This land covers an area of approximately 450 hectares, of the total area of PT. Pagilaran, which is 1,113.838 hectares, and the Cultivation Rights for this land expired in 2008.

The reclaiming efforts show themselves as benchmarking activities in the world. mapping out, as well as cultivating, the land that is included in the area covered by PT. Pagilaran's Cultivation Rights. These are acts that are considered to be feasible initiatives that the farmers can take, according to them. The reason for this is that legally speaking, they do not have any written evidence to support their claim that they once possessed the land. The benchmarking action that was carried out by farmers in the five villages on January 17, 2000 was the period when the land dispute over the Cultivation Right area began to develop. This action took place on the same day. In essence, this was done in an effort to indicate regions that had previously been farmed by farmers but were subsequently taken over by plantations. According to the data provided by PT. Pagilaran, the total area of PT. Pagilaran that is adhered to by farmers is roughly 500.12 hectares.

The sharecroppers did land plotting in the area of Cultivation Rights in the Batur Block area of Keteleng Village in Dukuh Pagilaran in addition to the benchmark. Keteleng Village is located in Dukuh Pagilaran. According to the data provided by PT. Pagilaran, the total land area that the farmers have plotted amounts to around 8.5 hectares. Approximately one hundred and forty farmers are involved in the process of plotting. Farmers who participate in the planning are entitled to an average share of 600 million dollars. In point of fact, only around 2.5 hectares out of the 8.5 hectares that were plotted by the farmers were really planted. This is the area known as the Pagilaran Plantation, and it is a Polyklonal mother garden. Because they no longer have access to enough agricultural land to satisfy their day-to-day requirements, farmers are being compelled to act in this manner. In addition, the farmers are dissatisfied because PT.

¹² D Spencer and M Brogan, *Mediation Law and Practice* (Cambridge: Cambridge University Press, 2006).

Pagilaran did not respond to their demands to return land that had been cleared by their ancestors in the past; consequently, these lands have essentially become the rights of the farmers. The litigation process pits the parties against each other, in addition to the settlement of disputes, which is the final means (*ultimum remedium*) after other alternative dispute resolutions have failed to produce results. Disputes that are settled via the use of the legal system are required to go through the General Court as well as the State Administrative Court.¹³ The General Courts are charged with the responsibility of receiving, investigating, adjudicating, and making decisions about civil and criminal cases. While it is within the purview of the State Administrative Court to hear cases, investigate them, render judgements on them, and settle disputes over the concrete, individual, and conclusive decisions of state administrative officials, the court does not have this power.

The second issue is that some farmers who are claiming compensation for removing their formerly agricultural land have stated that the land that was removed from them was property that their forefathers had previously cleared. Because of the scenario following the PKI, this was brought about by the G 30 S. The plantations took advantage of this scenario in order to exert pressure on the farmers and force them to allow the land that they had been cultivating to be forcibly planted without being compensated. An effort that is being made to recover land that was formerly occupied by plantations is known as "reclaiming farmers." The farmers will file a lawsuit against the plantation for monetary compensation if it is not possible for them to receive it. The farmers did not comply with the farmers' demands for compensation, so the farmers took efforts to confiscate plantation land. This sparked the growth of land disputes into destructive acts, such as marking, planting, and destroying plantation crops. These actions led to the destruction of plantation crops.

From PT. Pagilaran is also attempting to engage the community that is located close to the plantation in the cultivation of crops in the area that has Cultivation Right. One method of participation is to enlist members of the community that lives in and around the planting area as workers and employees of the plantation. According to the information provided by the CEO and employees of PT. Pagilaran, Pagilaran Plantation also pays attention to the job safety of its employees and workers. This information relates to the workers who are employed at the Pagilaran Garden. In addition to this, the Pagilaran Plantation, in its capacity as owner of the Cultivation Right, is working towards the establishment of a healthcare infrastructure for the people living in and around the plantation. Educational establishments, religious establishments, as well as public baths and laundries. toilets Even though PT. Pagilaran makes an effort to involve local residents in the management of land that is covered by Cultivation Rights and makes an effort to provide local residents with facilities and infrastructure, local residents continue to have the impression that the majority of the community is still in a deplorable condition.

According to the PT group, Pagilaran continues to provide wages that are lower than the minimum wage (UMK) required by the Batang district. Employees of the company, particularly those working in the plantation division, get salaries that can range anywhere from Rp. up to Rp. 150,000.00. 290,000.00 per month. This wage was significantly lower

¹³ FH Winarta, *Hukum Penyelesaian Sengketa Arbitrase Nasional Indonesia Dan Internasional: Edisi Kedua* (Jakarta: Sinar Grafika, 2022)

than the UMK of Batang Regency in the 2000s, which was Rp. 320,000.00. The sentiment expressed in the previous sentence by the community is, in large part, motivated by the social competition it perceives PT to present. Pagilaran should be more worried about the welfare of the community around the plantation, but instead it only cares about the welfare of the owners and management of the firm by offering excellent amenities to the management, and the community is disappointed by PT. Pagilaran should be more concerned about the welfare of the community around the plantation. The town of Pagilaran did not receive a response to its demands for the lands that had been taken over by the Plantations decades earlier.

The provision of land rights to the people of Indonesia must have as its foundation Article 33 paragraph 3 of the Constitution of 1945, which establishes the right of the state to exercise control over the land. The definition of the right to control from the state does not indicate that the state owns the land completely; it just means that the state has the right to control it. There is no denying that the issue of usufructuary rights in social life frequently arises on the territory of the Republic of Indonesia. This is not an exception. This issue almost invariably ends up causing financial hardship for the communities that are geographically located immediately near to land that the government has designated as having Cultivation Rights. This was brought about by a lack of transparency regarding the parameters of the usufructuary rights that the government had granted to business owners in their capacity as the firm that manages the usufructuary rights. Typically, the inability of Indonesian citizens to comprehend land regulations and the murky history of the land themselves are the root causes of land disputes between community members, Managers, and the government. When viewed through the lens of the concept of the welfare state, as articulated in the Constitution's Article 33 paragraph 3 in 1945 and the Basic Agrarian Law No. 5 in 1960, this is how it should be understood.¹⁴

If the land on which Cultivation Rights are awarded is state land that is also a plantation area, then the granting of Cultivation Rights can only be carried out once the rights to the plantation area have been released before the land can be used for cultivation. Additionally, if there are other rights on the land, the granting of Cultivation Rights cannot take place until the previous rights have been completely given up. This is the case even if there are no other rights on the land. This is done in compliance with the provisions that are provided in Article 4 of Government Regulation Number 40 of 1996 governing Business Use Rights, Building Use Rights, and Land Use Rights. Furthermore, in the formulation of Article 4 paragraph (4) it is stated that if on the land to which the Cultivation Right is to be granted there are buildings and/or plants belonging to other parties whose existence is legally valid, then the Cultivation Right holder is obligated to provide compensation to the owner. This obligation exists only if the existence of the buildings and/or plants on the land in question is recognised by the law. structures and

¹⁴ CST Kansil, *Pengantar Ilmu Hukum Dan Tata Hukum Indonesia*, Cir.Nii.Ac.Jp (Jakarta: Sinar Grafika, 2002) <<https://cir.nii.ac.jp/crid/1130282271074061184>> [accessed 28 April 2023].

vegetation have been placed there as a memorial to the land rights previously owned by other individuals.¹⁵

According to Law Number 20 of 1961, which addresses the revocation of rights to property and objects located on it, appropriate compensation must be calculated based on the real or actual value of the land or objects that are in dispute. Apart from rivalry and conflict, conflict is a social process that can be thought of as dissociative. In point of fact, dissociative social processes are not always detrimental; in some instances, when they are organised in such a way that they might yield beneficial outcomes, they can be described as "positive." Conflict can also be beneficial, particularly when used to call into question the existing quo.¹⁶ According to Fisher, there are a few different varieties of conflict, and these include the following:¹⁷

1. There is no conflict. In this type, every group or society that lives in peace must live enthusiastically and dynamically, take advantage of conflicting behaviour and goals, and manage conflict in creative ways if they want this situation to continue. If they do these things, they will be able to keep the peace.
2. The Unresolved Conflict. This kind of dispute is covert and needs to be brought to light so that it can be resolved in an efficient manner.
3. Open conflict has deep roots and is very real; steps need to be taken to address both the causes and the impacts of this conflict.
4. Surface conflicts have roots that are shallow or unrooted, and they originate from misunderstandings regarding aims; these misunderstandings can be resolved by improved communication.

There are many distinct theories that may be applied to the investigation of the causes of conflict. Each of these theories has a unique approach and set of objectives, which can be helpful in understanding how to manage conflict. According to Fisher, the following are some of the hypotheses that have been proposed to investigate the numerous factors that contribute to conflicts:¹⁸

¹⁵ Rachman Maulana Kafrawi, Bambang Ariyanto, and Nikmah Mentari, 'Tanggung Gugat Terhadap Penyalahgunaan Hak Guna Usaha Pada Lahan Perkebunan', *Jurnal Hukum IUS QUIA IUSTUM*, 29.3 (2022), 633–51 <<https://doi.org/10.20885/IUSTUM.VOL29.ISS3.ART8>>.

¹⁶ Yulia Andika Rusli, 'Fungsi Sengketa Lahan Dalam Proses Pembentukan Solidaritas Masyarakat Desa Lantibongan Kabupaten Selayar = The Function Of Land Disputes In The Process Of Forming The Solidarity Of The Lantibongan Village Community Selayar District' (Universitas Hasanudin, 2022).

¹⁷ Simon Fisher and others, *Mengelola Konflik: Ketrampilan Dan Strategi Untuk Bertindak*, 2001.

¹⁸ Fisher and others.

1. The Theory of Public Relations. According to this idea, the polarisation that already exists in a society, as well as the mistrust and animosity that exists between different social groupings, are the root causes of conflict.
2. The Principled Approach to the Theory of Negotiation. This theory postulates that positions that are not aligned with one another and diverse perspectives on conflict held by parties that are experiencing conflict are the root causes of conflict.
3. The theory of human needs. This idea postulates that long-standing conflicts are the result of fundamental human needs like physical, mental, and social requirements that are either not supplied or are impeded in some way.
4. The theory of identity. This theory postulates that conflict is produced by a threatened identity, which is typically based in the loss of something or unresolved past pain. Moreover, this theory suggests that this identity threat can lead to conflict.
5. A Theory of the Intercultural Misconceptions. According to this view, cultural differences in communication styles are what lead to disagreements and disagreements are what cause conflict.
6. Theory of the Transformation of Conflict. This theory postulates that problems of inequality and injustice, which emerge as a result of societal, cultural, and economic issues, are the root causes of conflict.¹⁹

Writing this article suggests in resolving agrarian conflicts between PT. Pagilaran with farmers in Batang Regency, it is necessary to take a holistic approach that pays attention to various aspects, including:

1. Regulatory Aspect

This aspect includes legal and regulatory arrangements related to land use. In this case, it is necessary to pay attention to regulations regarding usufructuary rights and permits required for land use. PT. Pagilaran must fulfill all the requirements contained in the applicable laws and regulations, so as to provide protection and legal certainty for both parties.

2. Aspects of Human Rights

This aspect includes the rights of every individual, including the right to land and a healthy environment. In resolving agrarian conflicts, it is necessary to ensure that these rights are not violated by PT. Pagilaran and by farmers. The existence of PT. Pagilaran as a company must pay attention to and respect the rights owned by farmers, including the right to a fair income and the right to manage their land.

¹⁹ Meiliani Puji Suharto and Gigin K. Basar, 'Konflik Agraria Dalam Pengelolaan Tanah Perkebunan Pada Pt Hevea Indonesia (Pt Hevindo) Dengan Masyarakat Kecamatan Nanggung Kabupaten Bogor', *Jurnal Kolaborasi Resolusi Konflik*, 1.1 (2019), 55-64 <<http://jurnal.unpad.ac.id/jkrk/article/view/20893>> [accessed 28 April 2023].

3. Contract Aspect

This aspect includes agreements or contracts between PT. Pagilaran with farmers regarding land use. The contract must be binding and respected by both parties. In resolving agrarian conflicts, it is necessary to examine the contract and ensure that the contract fulfills the requirements and is legally valid.

4. Environmental Aspect

This aspect includes the environmental impact caused by the activities of PT. Pagilaran. PT. Pagilarans must ensure that their activities do not damage the environment and meet the requirements stipulated in applicable laws and regulations. In addition, it is necessary to carry out an environmental impact assessment to ensure that the activities of PT. Pagilaran does not damage the environment and threaten the survival of farmers.

In resolving agrarian conflicts between PT. Pagilaran with farmers in Batang District, a holistic approach can be carried out by involving various related parties, such as the local government, NGOs, and the community. In addition, it is necessary to carry out an open dialogue between PT. Pagilaran and farmers to find the best solution that can be accepted by both parties. The aspects mentioned above need to be considered in conflict resolution in order to achieve fair and sustainable results for both parties and the environment.

CONCLUSION

Based on the analysis that has been done, it can be concluded that the settlement of agrarian conflicts between PT. Pagilaran with farmers in Batang District needs to be carried out with a holistic approach that pays attention to regulatory, human rights, contracts and environmental aspects. Collaborative and participatory efforts must be made between related parties to find the best solution that all parties can accept. To overcome the agrarian conflict that occurred in Batang Regency, several actions need to be taken, including:

1. Improve coordination between local government, NGOs and the community to find the best solution for both parties.
2. Increase the transparency and accountability of PT—Pagilaran in land and environmental management.
3. Ensure that the activities of PT. Pagilaran does not damage the environment and meets the requirements stipulated in the applicable laws and regulations.
4. Increase supervision and law enforcement against violations related to human rights and regulations that apply to land use.

In the long term, it is necessary to carry out a comprehensive agrarian reform to overcome various agrarian conflicts in Indonesia, including those related to usufructuary rights and land use. This agricultural reform must be based on the principle of justice.

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