

LOCAL VALUE-BASED FOREST RESOURCE CONSERVATION POLICIES IN SARADAN, MADIUN REGENCY (SOCIAL FORESTRY POLICY)

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Abstract

Forest conservation currently attracts the attention of numerous countries in the world, including Indonesia. This is because the world's forests have experienced terrible damage, including due to deforestation. Principal policies are crucial to prevent the problem of forest deterioration. Thus, many countries apply policies with the paradigm of sustainable forest development. It is based on balancing the sustainability of the economic, ecologic, social, and cultural functions through non-centralistic forest resource management which values the society's independence. In essence, this paradigm uses local wisdom as its basis. Some requirements must be fulfilled to reach the goals of the forest policies. One of them is society's active participation in conserving the forests' natural resources. Society's participation in environmental conservation is crucial, as they act as the determinants (subjects). Apart from that, they simultaneously experience the impact of the determined policies (object).

Keywords: Policies, Forest, Conservation, Local Wisdom, Local Value.

Introduction

Based on the writer's observation, the natural resource conservation in Madiun Regency, East Java Province, Indonesia depends on the presence of the Saradan forest. All this time, the people do not care about the condition of this forest as they were alienated by Perhutani (the Indonesian State Forest Company) in the past. But now, the new program of Perhutani's Saradan Forest Management Unit permits the people to plant on the land managed by Perhutani (Adi & Yuliana, 2012). In relation to that, there is a love-hate relationship between the people and the Saradan Forest Management Unit of Perhutani. Based on the applicable stipulations, this area must be harmonically conserved and preserved. Related policies must certainly be applied with regard to the preservation of the ecosystem and the economic aspect of the people (Martono et al., 2020).

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The Saradan Forest at Madiun Regency has a breadth of around 37.936,6 hectares. It is used for rice fields, intercropping plantations, tourism, aquaculture, and capture fisheries. Based on the data from the Saradan Forest Management Unit in 2003, there were abundant agricultural land, plantations, and residences. It also produced an abundant amount of honey. Several facilities were built with the main goal of managing the forest in the Saradan area. Apart from that, development was carried out with the aim to merge farming and forestry. There was a goal to increase the tourism value of the area as well as to fulfil the needs of the people around the forest (Lailin & Latansyah, 2022).

According to Dr. Budi Setiadi Daryono, M. Agr. Sc., the Dean of the Faculty of Biology at Gajahmada University, on average, a living person needs oxygen (O₂) from as many as fifteen trees. If this is associated with the population of Indonesia, according to the projection from Indonesia Statistics, the number of citizens in 2017 was 261 million people. If this number is multiplied by 15 trees, thus Indonesia needs 3.915.000.000 trees, which approximately takes up an area of 1.904.569 km² from the total Indonesian territory of 5.103.250 km² (Absori et al., 2017).

This paper focuses on the interaction between legal and communal problems and the law at the regional (local) and national levels. It aims to know how far the sociologic-juridical process fulfills philosophical values. Concerning the legal system, Indonesia applies Continental Europe or the Civil Law legal system.

Based on that, the researcher tries to correlate this research by using the customary laws of Continental Europe as a comparison. The Republic of Indonesia's Constitution No. 6 of 2014 regarding Villagers Article 1 defines a village as follows: A village and a customary village or that which is called with other terms, which is hereinafter called a village, is a unity of a legal society which inhabits a certain authorized territory to manage and to regulate the governmental affairs and the local society's interests based on their aspirations. Villagers have the right to express opinions and suggestions and/or their traditional rights which are acknowledged and respected in the Unified Republic of Indonesia's governmental system. Regulation on Customary Village Article 110 states that regulations on customary villages are adapted to the customary laws and norms which apply in the customary village so long as they do not contradict the stipulations of the constitutional regulations (Daryono, 2017).

Decree of the Republic of Indonesia's Ministry of Environment and Forestry No. P.6/Menlhk/Setjen/otl.0/1/2016 on the Organization and Working Procedures of the Forest Area Consolidation Area and the Constitution No. 5 of 1990 on the Conservation of Natural Resources and the Ecosystem are the stipulations which give the general basis of thought to adapt with the situation and condition.

The forest conservation which has been strived for since 1990 has never been whole-heartedly supported by the population. People clearly stated to the researcher that they do not need anything related to forest conservation as they do not receive any wealth from the forest. In the past, people who lived in forests were abandoned by the state's policies. The main plant in Saradan Forest is teak trees, which cover an area of as much as 37.936,6 hectares with approximately 200 hectares of protected forest.

The people's hopes are actually simple. They hope that the forest may give benefit the surrounding people, especially regarding the forest's function to absorb water. They also hope to receive farming permits on part of the land without destroying the forest. This is because the local people experienced repressive policies. Thus, they hope to never be oppressed by such policies again.

From the data and facts that the researcher obtained, the benchmarks of the local transcendental values may be analyzed as follows: (1) From the mystical point of view, the people believe that destroying or taking some or all parts of the forest's teak trees without permission are actions which may cause direct sanctions. This is because they believe that the forest is protected by some mystical creatures. (2) The forest police from the Saradan Forest Management Unit, the Ministry of the Environment and Forestry, and the Conservation Section of Madiun Area are the parties which are authorized and responsible for the conservation of the teak forest in Saradan. They have the responsibility to carry out socialization on the natural resource conservation programs. (3) Due to their own awareness, the people planted trees in the barren forest to increase water absorption. They also do so with the hope of getting a fair share. (4) The Chief of the Village has the role to communicate and coordinate the villagers' interests in the conservation of the forest's natural resources.

Based on the description above, in this paper, the writer will analyze the local value and local wisdom-based forest resource conservation policies in Madiun Regency to comprehensively understand the image of the forest natural resource conservation in the Madiun Regency area. Apart from that, the writer will also conduct an analysis on whether or not the policies on forest natural resource conservation orient towards the local wisdom.

Research Method

In this research, the writer used normative and empirical legal approaches (Dimiyati & Wardiono, 2004). It used regulations which are related to the research objects and the stipulations outside of the regulations as sources. Other data were also used, including those from relevant journals and works of literature. Apart from that, the writer also partially sought direct sources from the field in case further information is required. In obtaining this information, the researcher directly communicated with certain figures and conducted direct observation according to the needs of the research. The researcher carried out focused communication with research object sources to obtain the needed information (Perhutani's Saradan Forest Management Unit, 2015).

Results and Discussion

A. The manifestation of society's influencing power is their awareness towards the forest's natural resource conservation.

In the first stage of this research, the researcher conducted observation and direct field research based on the sociologic approach. The researcher found that the natural resource conservation which has been carried out in Saradan forest, Madiun

Regency has actually diverted from the expectation. This may be described by the researcher from the data obtained from interviews with informants and retired ex-officials who had competencies in conservation issues. From the interviews, the researcher also found that the village head personally had the noble hope that environmental conservation is achieved simultaneously with the increase of the people's welfare.

After Indonesia's Reformation in 1998 which led to a monetary crisis, the people's anger was manifested through massive forest looting, leading to disasters. The stakeholder (Perhutani) understood they had alienated the people from the forest (Agustiar et al., 2019; Sumanto, 2009). Perhutani took an initiative where the people can receive a fair share of forest wood. They can do so by obtaining permits from either the regional or the central governments. This was a follow-up policy issued to balance the ecosystem and the people to prevent chaos.

In the second stage of this research, the researcher observed the Saradan teak forest, Madiun Regency, which has an area of 37.936,6 hectares. According to the stipulations, that area must harmonically be preserved and conserved. There must be balance, certainly with the consideration of the ecosystem's preservation. Part of this forest (24.797,2 Ha) is located around the stream area of the Begawan Solo River. Meanwhile, the rest of it is located around the Brantas River stream with an area of 13.139,9 Ha. Therefore, it means that the Saradan forest has excellent water flow for farming.

Such a condition makes the Saradan forest a fertile area. Farming is carried out around and in the forest using the intercropping system (Sugiyono, 2008). Unfortunately, poverty leads people to penetrate and plunder the forest. This was because old policies alienated the surrounding society from the forest. Society does understand that looting or damaging the forest is a terrible action. But because they cannot farm (it was prohibited to farm in the forest area) or use the forest, they cannot hold themselves. Worse, they saw strangers (Perhutani) harvest the forest, igniting their anger.

Maintaining forest preservation is not a mystic thing. But it is a wise thing to do. According to the authors' analysis, suitable solutions include the adequate fulfilment of the welfare of the society around the forest through intercrop farming permits, profit-sharing of the forest's resources, as well as the access to use of non-timber resources of the forest. The Saradan Conservation and Natural Resources Center (BKSDA/Balai Konservasi Dan Sumber Daya Alam) believe that if the society is prospered, they will be motivated to participate in protecting the teak trees, as their needs have been fulfilled.

From this description, it turns out that the forest police and the head of BKSDA can take advantage of this situation to internally make a policy to socialize the Conservation of Natural Resources. The target of socialization is the surrounding community. Such socialization can be conducted after the society around the forest obtain benefits from the forest and has had their welfare increased.

To achieve societal welfare, a dam in Saradan is needed for irrigation and to control floods. In this study, the author communicated with Mr. Ir. Sanusi, M.T. In his explanation, he stated that from 1975 to 1976, the building of a reservoir was mapped out in this area. The plan for this reservoir was initially researched and studied by a team of geographers. At that time, the results were reported to the government. According to the research results, it was found that the area was feasible to build a dam with the expectation that it can be used to control floods, irrigate the rice fields, water fish ponds, and act as a tourism spot in the Saradan forest. However, a geographer from the University of Gadjah Mada, Dr. Soenarso Simoen, said that after it was made official in 1981, it was found that the reservoir could not conform to the claim that it could last up to 100 years and still function properly. But, it would only last for 50 years. Then, the author met informant Hendra Martokesuma, a former hydropower employee who handled the water flow to a small river to irrigate the fields and other crops. He said that excessive sedimentation was inevitable due to the soil structure. Sedimentation also occurred, leading to a small river flow.

1. The Typology of the Policy Resolution

In this study, authors needed to obtain a description of the forest resource conservation in the Saradan Regency area as this was in accordance with the object studied. It aimed to obtain the typology of each area studied. This was because each area poses different issues, therefore requiring different solutions. Based on this and adjusting to the problems that arise, the author remained consistent in the belief that wiser policies that truly rely on the people's aspirations must rely on local wisdom.

In its journey, the situation of the Saradan teak forest has greatly benefited from the circumstances and the conditions that happened. The Saradan forest will be preserved by the local people if they obtain a fair share and access to farms in the forest. In the story of the Saradan forest, the head of the village explained why people looted timber, leaves, or other parts of the teak trees and bought them home with the risk of being jailed. It was because the people did not obtain any benefits from the forest. He believed that if the people obtained a fair share and could farm in the forest, whoever stole parts of the teak trees will be struck by misfortune, i.e., the perpetrators would be arrested. This situation has repeatedly happened. If the people don't have any food or wealth, then they would have the courage to loot wood in the Saradan forest. This was because starving is scarier than being imprisoned. Relevant officials from the regional and central governments should hear such things and use them as references in determining their attitudes toward making policies.

From the problems that arise, the issue that becomes the research object is the policies decided by the government (in this case the Ministry of Environment) which are still not aspirational. This can be proven from forest conservation cases that happened in several cases, from the aspect of forest conservation management or the aspect of the rights and obligations of the community and the government.

2. Policy Completion in Proving Problems

Based on the data, it was found that the resolution of environmental problems related to conservation policies is indeed related to Constitution No. 5 of 1990 on the Conservation of Natural Resources and Ecosystems and Constitution No. 32 of 2009 on the Protection and Management of the Environment and the Forest. There must be comprehensive consideration and the policies must not leave the basic foundation that has been outlined (Irawan, 2011).

The rational policy model emphasizes that the policy process is a rational process and is carried out by actors who have rational ways of thinking. According to this model, the policy process involves certain stages and it runs like a cycle. The actors can clearly see the purpose of the policy and the means to achieve that goal. Since the 1950s, this concept has evolved and produced various variations with the same essence (Jenkins, 1978; Laswell, 1956). In this kind of model, the actors must directly see and interact with those who are related to the focus of the problem.

In proving the problems that occur in forest resources conservation areas, some problems are visible while others are not. For instance, sedimentation is clearly visible in the field. Then, there was the issue that in the green belt program where 1.000 trees must be planted, only 500 trees were planted. This can also clearly be seen. But if there is data manipulation from the beginning, then it is necessary to re-disclose the feasibility of building the reservoir. Therefore, two formulations can be used as alternatives, namely (Jumanto & Martono, 2020):

- 1) There must be society-supported forest management, where the society obtains profit sharing from Perhutani's teak tree harvest with a percentage of 20%. There must be permits for society to plant in the forest area. Such cooperations are carried out under the protection of the Forest Village Community Organization and Perhutani.
- 2) Social forestry policies, including community service, training on effective planting in the middle of the forest, the granting of scholarships, and other social activities.

Conclusion

From the results and discussion above, it was found that to address the environmental issues, the power of the local people's autonomy must be optimized. It can be carried out by defending policies that favor the local wisdom. The potential strengths of the local people must be used, combined with the strength of interest groups in the community. This is carried out to obtain factual data that can be accounted for and used as references by the relevant officials in making policies related to forest resources.

Second, there must be a factual resolution model in the field. This occurs in a human relation approach combined with the sociological process in people's life. There must be an emphasis on the formal legal approach and legal logic to ignite creativity and

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reject the routine of regulatory logic. This is where policies are enlightened to rely on local wisdom.

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