

# Conflict Resolution Model Between Corporate Community and Government in the Environmental Conflict of Gold Mining Tumpangpitu, Banyuwangi

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## ABSTRACT

This study was carried out in Banyuwangi's Sendangarum Pesanggaran, which investigates the government's and corporations' conflict over gold mining. The dispute arose due to the community's refusal and even resistance as a stakeholder in the management and exploitation of gold mining. The community considers gold mining activities to be economically damaging because fish catches are low and environmentally damaging because they harm marine biota. Mining exploitation activities are not prohibited by law because they generate macroeconomic value for the community's welfare. However, they must take into account social and environmental factors and the principle of sustainable development, which refers to the SDGs. This mining conflict should not continue; instead, a solution must be found that benefits all parties involved. This means that gold mining in Tumpangpitu must provide economic and social benefits to the community and preserve and protect the environment from damage.

**Keywords:** Gold mining, Conflict, Tumpangpitu.

## 1. INTRODUCTION

Banyuwangi Regency has many areas called protected forests. There are Alas Purwo and Mount Tumpangpitu Protected Forests. Through the Decree of the Minister of Forestry No. 826/Menhut.II/2013, the official status of a protected forest was reduced to a production forest. The transfer of functions is considered by many parties to facilitate the implementation of gold exploitation and to grant a Mining Business Permit (IUP) to PT Bumi Suksesindo (PT BSI).

The conversion of Tumpangpitu's function into a production forest as a vital object for this open-pit mining area has reaped the pros and cons, thus triggering conflicts. The existence of open-pit mining is not only assessed by the surrounding community, Sumberagung Village and Pancer Hamlet, which poses the risk of environmental damage but also has a social impact that disrupts the social cohesion of residents in Tumpangpitu. The social cohesion that has been torn apart so far is the existence of people who are pro and contra mining, and until now, it is complicated to reconcile. The researcher calls the relationship and social cohesion between the pros and cons of the community the "short axis" because

with the slightest trigger, the two communities who are pro and contra mine spark conflict.

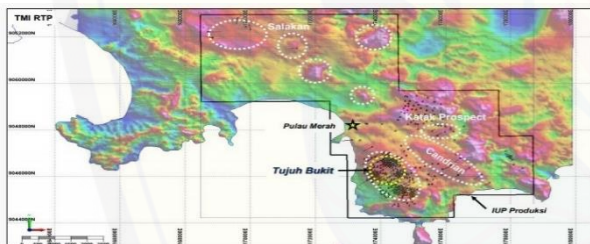
Various protests and rejections were carried out by residents around Mount Tumpangpitu. Even the conflict between residents of Sumberagung village and its surroundings with PT BSI and the Banyuwangi local government began to reach its climax in 2011. Even now, there are still frequent clashes with gold mining companies. Some of the mothers interviewed by the researchers revealed that Dusun Pancer, Desa Sumberagung, was once a "maleless" hamlet. Even in that incident, the National Human Rights Commission (Komnas HAM) had gone to the conflict location to investigate the conflict between the communities in the Tumpangpitu area.

Administratively Mount Tumpangpitu is included in the Sukamade Forest Management Unit (BKPH), Pesanggaran District, Banyuwangi Regency. If traced to the ideal realm, Law No. 41/1999 on forestry prohibits open-pit mining activities in protected forest areas. However, according to local people, mining practices in the area of Mount Tumpangpitu have existed since the mid-1990s.

The Walhi Jatim report on September 26, 2016, revealed that at that time, PT Hakman Metalindo was carrying out natural resource management in the Meru Betiri area. After that, PT Jember Metal and PT Banyuwangi Mineral applied for a Contract of Work (COW) principle permit to open an open space. Pit mining in the same place. Then right on March 20, 2006, exploration by PT Hakman Group ended after issuing the Banyuwangi Regent's letter No. 545/513/429,022/2006.

Research conducted by Clara Elys Y (2017) provides a brief description of a series of incidents related to mining conflicts in Sumberagung. First, the people of Sumberagung organized an action that resulted in the burning or destruction of some mining facilities (Monday, November 23 2015, at 2:50 pm) at the warehouse of PT. BSI.

Second, the heated conflict occurred when the Tumpangpitu gold mining permit was issued (Wednesday, November 30 2015, at 08.30 WIB). The residents of Sumberagung protested at the entrance of PT. BSI. Third, the resistance of the Sumberagung residents did not end there. Even the residents who refused had also carried out a hunger strike (Wednesday, April 13, 2016). The refusal simultaneously occurred in Sumberagung Village, Pesanggaran District, Banyuwangi Regency (Figure 1).



Sources: Bappeda Kab. Banyuwangi, 2020

**Figure 1.** Location of the Banyuwangi Overlap Gold Mine

Fourth, even in conditions of continuous conflict, residents continue to try to fight to continue to pressure the company, to stop mining activities immediately. This was also proven when there was a cable planting (Tuesday, March 6 2017) along the road to Tumpangpitu, which was also demonstrated by the community.

The most fundamental cause of the occurrence of the Sumberagung community's resistance to the Tumpangpitu gold mining company is dissatisfaction as a result of the appreciation or perception of something missing, or commonly referred to as relative deprivation. In the community's effort to resist, relative poverty alludes to the perceived gap between values and expectations, combined with value capabilities. The classification of values is events or events, objects and

conditions that people strive for, namely welfare, power, and intrapersonal values.

The difference in interests between mining corporations, the government, and local communities as stakeholders in mining activities is crucial for conflict. The motives and resistance of local communities with companies also varied, ranging from economic reasons, the environment to the recruitment of workers. By using organized power, community resistance movements are continuously carried out to combat corporate governance.

The cultural context of the community around the Tumpangpitu gold mine, which is very diverse, is an identical colouring factor as well as being able to make cases of rejection and resistance to mining activities more complicated. Several previous studies have also discussed similar issues in various regions in Indonesia [1].

## 2. METHOD

This research was conducted using a qualitative approach. The research design refers to the type of case study research. Data were collected by observation, in-depth interviews and FGD. Sources of data from the community around the Tumpangpitu Banyuwangi gold mine; Banyuwangi Regency Mining Service and PT. BSI. The primary informants from the community are figures who mobilize social resistance, informants from the government are staff of the Mining Service and Bappeda Banyuwangi Regency, while informants from PT. BSI is personnel appointed to handle gold mining exploitation. Data analysis uses the Mile and Huberman approach and is equipped with the Spradley approach.

## 3. RESULTS & DISCUSSION

### 3.1. Conflict In Theoretical Perspective

Theoretically, mining conflicts occur because so far, environmental exploitation has been more biased in the economic aspect (economic bias), while social and ecological factors have not been given less attention. The interaction between the three parts did not go well. In environmental theory views human development as a result of interactions or transactions between internal forces and external forces. Interaction is the mutual influence between internal forces (organisms with various identities and attributes) and external forces (environment; physical, psychological and social).

The form of interaction that may occur in everyday life is that individuals are influenced by the environment. The environment is affected by individuals or individuals, and the environment constantly interacts with each other to experience changes [2]



If using the human relations approach with the environment, then the domain is attached to the individual. Even at any time, the individual cannot be separated from his environment and interacts very intensively and continuously. The interaction of individuals and groups with the environment is positive if the exchange runs in a mutually beneficial process (mutualism symbiosis) and is functional. In this case, the intended function is that the environment remains sustainable and able to provide benefits for the sustainability of life in the future, as well as being able to provide peace for other biotic life.

The logic of thinking that is applied in this ecological theory is that human behaviour is part of the complexity of the ecosystem [3] even in its analysis presentation, it has basic assumptions such as human behaviour related to the environmental context, beneficial reciprocal interactions between humans and humans. Environment, the environment is dynamic. The atmosphere occurs at the level and depends on the function.

### 3.2. Conflict Resolution Education

Although the mining conflict escalation of the Sumberagung residents continues to increase, at least from the early 2000s, there is still frequent community resistance. However, the government's earnest efforts to resolve the mining conflict have not yet touched the substance of the competition. Residents become the vortex of competition because they do not have a foothold and mechanisms that support them in resolving conflicts over natural resources. According to Hafrida (2014), this is because the government so far does not have a legal instrument that comprehensively regulates conflict resolution.

In Sumberagung Village, as described in the background, currently, there is a mining conflict involving PT. BSI with the locals. The conflict must be handled comprehensively as mandated by Law Number 7 of 2012 concerning social disputes. Since the formation of Law Number 7 of 2012 concerning conflict management, all relevant parties, such as the community, people in business, central figures, and even the government itself, can guide the Act.

The Law is written very clearly and clearly, regarding the definition of social conflict due to the struggle for natural resources, which becomes the point of conflict. Article 1 point 1 defines that social conflict as a feud and physical clash with violence between two or more community groups that last for a particular time and has a broad impact that results in insecurity and causes social disintegration, thereby disrupting national stability and hindering national development.

From the explanation of the Law above, of course, it is evident that the presence of social conflicts due to natural resources does need special handling to find a point of peace or conflict resolution with the correct

analytical formulation. Especially as educational material to reach a joint decision to obtain peace and security as mandated by the constitution of the State of Indonesia.

### 3.3. History and Dynamics Of Conflict

The mining conflict that occurred in Sumberagung is a conflict that has happened for a long time. The emergence of the mining conflict was first triggered by mining permits in the Mount Tumpangpitu area, through the Regent's Decree Number 188/57/KP/429,022/2006, which was granted to PT Indo Multi Niaga, after which the IUP OP permit was then given to PT Bumi Suksesindo. After the mining permit was issued by the Banyuwangi Regent's decree, the conflict began between the Sumberagung community and PT Bumi Suksesindo (PT BSI). Interviews with several informants, including the Head of Intel and the Head of Pesanggaran Police, the conflict arose after a shift in the contract of work between PT IMN and PT BSI. The transfer of the agreement of work is considered by the people of Sumberagung as a company maneuver to obscure the problem. The villagers of Sumberagung think that PT IMN will carry out mining expansion in other mountains in Banyuwangi, such as Mount Salakan, which is close to Sarongan Village.

Around August 2016, mining conflicts developed when the company started mining for gold. When mining exploitation was carried out (Figure 2), at the same time, there was a flood from the top of Mount Tumpangpitu towards the ocean. Some residents consider this exploitation to be the cause of the flooding so that Sumberagung residents pressure the company to stop mining operations. This is where the history and dynamics of the mining conflict between the community and the company began.

The conflict that occurred was manifested by massive protests against PT. BSI and the Banyuwangi local government, by holding demonstrations (Figure 3). Most of the residents flocked to the entrance of the open-pit mining area to protest. This event was the initial condition where the extracted waste above Tumpangpitu was washed away by the flood and entered the tourism area of Pulau Merah. What residents consider to be quite worrying is the proximity of the mining waste storage pond to the Fish Auction Place (TPI) in Pancer Hamlet, Sumberagung Village, which is only about 6.7 Km away.



Figure 2. Gold Mining Exploitation Activities



**Figure 3.** Forms of Public Protest

Since the beginning of the mining concession, which the Banyuwangi Government permitted, there were pros and cons among the Sumberagung community, such as the many questions regarding the validity of the issuance of the Banyuwangi Regent's decree (before 2013), which was judged at that time to be legally flawed because it used the wrong legal basis, which was not accompanied by a decree or a decree. Ministry of Forestry recommendation. In addition, many figures and informants met by the researchers also admitted that they did not receive any prior socialization from the government or companies. When referring to the openness of permits adjusted by the AMDAL, the community must be involved in the decision-making process.

On August 30, 2014, the community was again shocked by the company, which had already received thousands of signatures from the people of Sumberagung who agreed to support the establishment of a gold mining company in Mount Tumpangpitu. With the achievement of thousands of signatures, the community's partnership was broken. Some say that the signature is fake and that they are not residents of Sumberagung. Others say otherwise. From this, it can be imagined that the social cohesion of the Sumberagung community due to gold mining on Mount Tumpangpitu has made the point where people begin to distrust their fellow citizens.

The conflict became worse when the Sumberagung community felt they were not involved in making an Environmental Impact Analysis (AMDAL) which was also one of the triggers for the resistance of the local Tumpangpitu community. The information received by the researcher was also confirmed by one of the primary informants with the initials NH. In this case, his party said that if you look at the legal basis of Article 26 of the Law on Environmental Protection and Management (UUPPLH) regarding community involvement in the preparation of the AMDAL, it regulates the initiating mechanism. He involved the people who would be affected.

The desire for the Sumberagung community to be involved in making the AMDAL is one of the resistance strategies that the community wants to carry out so that if in making the script residents find irregularities, it will be

straightforward to break the company because Mount Tumpangpitu is not suitable for mining if you look at its functions and uses first. As a protected forest.

People who from the start did not agree with the mining in Mount Tumpangpitu always came up with resistance that wanted to express dissatisfaction with the company and the government, right on April 4, 2012, the fishermen from Pancer Hamlet and representatives from various fishermen such as Jember and Banyuwangi held a demonstration, the cause was objections. The company denied the potential for pollution proposed by the community by saying that it would implement the Submarine Tailings Disposal (STD) system in mining waste management which is considered environmentally friendly. The local people of Tumpangpitu and representatives of other fishers refused because this system was supposed to threaten the lives of the fishermen of Puger, Grajakan, Rajegwesi, due to the contamination of water and marine life (Interview with main informant AD. November 8 2019)

Previously, the fishermen had also acted in the form of praying together or *istigosah*, which was carried out simultaneously by fishermen centred at the port of Muncar District on June 20, 2008, which was attended by around 5 thousand people. Most of the fishermen who took part in this action were due to the waste from Tumpangpitu, which was feared would be a domino effect for fishers in the future. The movement of fishers who cannot accept the reasons given by the company regarding waste management with the STD model, finally the mine management continues to reap protests to this day with various variants and dynamics of the movement, such as the installation of rejection banners in every house of the fishermen of Dusun Pancer.

The problems that are getting more complicated due to the prolonged conflict have made the social conditions of the Sumberagung community increasingly out of control, resulting in the breakdown of social cohesion. This was proven by the confession of one of the informants who said that: "The people of Sumberagung who are pro-mining will feel social punishment from the people who are against mining. The punishment received by the pro-mining community is the loss of empathy and sympathy from residents who are against mining, for example, a relative of a pro-mining resident dies, even though they have been neighbors for decades, will not attend or just express their condolences" (Interview with Mrs F, September 24, 2021).

#### 4. CONCLUSION

The main problem underlying the conflict with the Sumberagung community is environmental damage that cannot be avoided if the Tumpangpitu mining continues. One alternative for the Sumberagung community to save the environment is to refuse the presence of PT BSI, which has a contract of work with the Banyuwangi



Government. Although the flow of community movements has ups and downs, in a coherent manner, the community continues to show a flick of resistance with the mining company, so that until now, the rejection process in the Sumberagung community continues to increase, even people often use media such as attributes, t-shirts, and stickers that Its nature is persuasive to the broader community to participate in rejecting the gold mining industry in Mount Tumpangpitu.

If you look at the social psychology of the Sumberagung residents who have not shown a harmonious attitude, the presence of mining conflicts is very imprinted on the residents' feelings. Moreover, the feelings of the people of Sumberagung who have been hurt have made a deep impression on the meaning of Tumpangpitu. Even today, there are still many people who are met by researchers in the field who yearn for the integrity of Mount Tumpangpitu, which has now become the concession area of the private mining company. People often try not to continue mining at Mount Tumpangpitu because it will be detrimental in the future.

#### **AUTHORS' CONTRIBUTIONS**

The gold mining conflict has emerged in the form of community resistance around the gold mine (Sugaragung Village, Pesanggaran Sub-district), Vis a vis Corporation (PT.BSI) and the Banyuwangi Regency Government. If the Tumpangpitu gold mining conflict continues, it will undoubtedly harm all parties. Therefore, based on the principle of sustainable development that harmonizes economic, social and environmental aspects, the Tumpangpitu gold mining conflict must be resolved using various conflict resolution models.

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