

Building Peace on Contested Land: Agrarian Conflict Resolution in Permanent Housing Projects for Earthquake Victims in Talise Valangguni Village, Mantikulore District, Palu City

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Abstract: Agrarian conflict is a structural issue that often arises in the development process, especially in post-disaster situations. This study aims to analyze the dynamics of land conflicts and conflict resolution efforts in the Permanent Housing (Huntap) development project for earthquake victims in Talise Valangguni Village, Mantikulore District, Palu City. This study uses a qualitative approach with data collection techniques through in-depth interviews, observation, and documentation of the affected communities as well as related parties, including local government and land agencies. The research results indicate that the conflict is triggered by overlapping land ownership claims between the local community and the Palu City Government, exacerbated by weak land administration and limited community participation in the process of determining Huntap locations. Land that was previously managed by the community as productive agricultural land has been repurposed for development without adequate consultation mechanisms, resulting in social resistance. Conflict resolution efforts are carried out through non-litigation approaches such as dialogue, negotiation, and land consolidation, which result in agreements for providing replacement land for affected communities. This study emphasizes that post-disaster agrarian conflict resolution requires a participatory approach, social justice, and policy synchronization in order for development to proceed sustainably without neglecting the rights of local communities.

Keywords: agrarian conflict, conflict resolution, permanent housing, Palu City.

1. Introduction

Land is a blessing from God Almighty that plays a fundamental role in human life. From the beginning to the end of life, land is an indispensable basic need because it serves as a living space and a source of livelihood. Through its use for production activities such as agriculture and plantations, land becomes the main basis for the continuity of the community's economy. Besides its economic value, land also has deep philosophical, political, social, and cultural dimensions. Throughout human civilization, control and use of land have always been determining factors in the production process and the formation of social structures. Therefore, land is not only seen as a material asset but also as a symbol of power, identity, and human life sustainability.

In agrarian societies, land holds a very significant social and economic meaning, not only as a source of livelihood but also as a determinant of a person's social status. Ownership and control of land often become indicators of prosperity, economic power, and political influence within the social structure of society. Land functions as a symbol of honor and social identity, which is carefully maintained by its owner. As the intensity of land use increases, various forms of relationships between humans and land emerge, impacting agrarian law dynamics in both formal and customary legal realms. This development also influences the community's perspective on land, covering aspects of ownership, control, and its use as a strategic socio-economic asset.

However, this also causes frequent agrarian conflicts. Conflicts that occur in human life are human, natural, and have the potential to happen at any time. Conflict is one of the essences of human life and development, characterized by diverse traits. Conflicts always occur in the world, in social systems known as states, nations, organizations, companies, and even in the smallest social systems, called families and friendships. (Wirawan, 2010).

Land conflicts are a chronic problem that have persisted for years or even decades and are always present everywhere. In Indonesia, land conflict cases have been ongoing for a long time, starting during the intervention of Dutch colonial rule. The people's resistance took the form of opposing agrarian policies related to taxation on agricultural produce and agro-industrial programs (Afrizal, 2006).

Land disputes are a latent social phenomenon that will continue as long as land is viewed as a primary source of livelihood for society. To this day, agrarian issues remain a crucial matter that often triggers various forms of popular resistance against policies or land ownership practices deemed unfair. The manifestations of this resistance vary, ranging from individual actions such as opposing evictions to collective movements in the form of demonstrations or broader social mobilization. This phenomenon reflects structural tensions between the community's need for land and government policies regulating its use.

Conflicts like these can occur due to several factors, such as the use of land for permanent housing development for earthquake-affected communities in Palu City. An earthquake is a geological phenomenon in the form of vibrations that occur on the Earth's surface due to the sudden release of energy from within the Earth's layers, which generates seismic waves. Earthquakes cause various multidimensional impacts that include physical and social aspects. From a physical perspective, earthquakes can lead to massive infrastructure damage, such as building collapses, landslides, soil cracks, as well as the disruption of transportation networks and damage to levees that can potentially cause floods. If the epicenter is located on the seabed, this event can also trigger a tsunami that devastates coastal areas. Meanwhile, the social impacts are equally significant, including an increase in poverty due to loss of homes and livelihoods, the emergence of hunger and the spread of diseases in affected areas, and disruption of the socio-economic stability of communities. On a larger scale, a major earthquake can even cripple the political and economic systems of a region due to prolonged physical and social damage.

Permanent housing is a policy implemented by the Government for the provision of homes for refugees. The Concept of the Government's Obligation in Providing Permanent Housing (Huntap) refers to the Presidential Instruction and the Decree of the Governor of Central Sulawesi. Housing has an important function and plays a significant role in human life. For the Indonesian people themselves, housing is a reflection and manifestation of an individual's personality, both individually and in relation to the surrounding natural environment. In social and civic life, humans are social beings, economic beings, and political beings (Yudohusodo Siswono., 1991). Thus, the state has a constitutional responsibility to ensure the fulfillment of the right to adequate housing. One form of this responsibility is manifested through policies on the provision of housing and residential areas aimed at creating safe, harmonious, healthy, and affordable living environments for all communities across various regions of Indonesia (Santoso Urip., 2014).

Law Number 1 of 2011 concerning Housing and Settlement Areas emphasizes the state's responsibility in protecting all Indonesian citizens through the provision and management of decent housing. In the preamble letter (b), it is stated that housing administration must ensure that every citizen can occupy a home that is safe, healthy, harmonious, affordable, and sustainable throughout Indonesia. This principle reinforces the role of the state as a protector of citizens' basic rights to obtain humane living conditions. In line with this, Law Number 39 of 1999 concerning Human Rights, particularly Article 40, asserts that every individual has the right to adequate housing and a decent life. Thus, the fulfillment of the right to housing is regarded as part of human rights that are essential for survival and the preservation of human dignity (Waha, C., & Sondakh, J. 2014).

In addition, the city of Palu also experienced a multidimensional disaster in the form of an earthquake, tsunami, and liquefaction with a magnitude of 7.4 on September 28, 2018, which caused significant humanitarian impacts and material losses. This event resulted in thousands of casualties and destroyed various facilities and residential areas in the affected regions. According to data from the National Disaster Management Authority (BNPB), there were 1,703 fatalities in the city of Palu, 171 in Donggala Regency, 223 in Sigi Regency, 15 in Parigi Moutong, and 1 in Pasangkayu, bringing the total number of victims to around 2,113 people across Central Sulawesi. In addition, as many as 4,612 people were reported injured and around 1,309 people declared missing. The socio-economic impact of this disaster is very significant, with thousands of families losing their homes and livelihoods, resulting in a humanitarian crisis that requires long-term handling through recovery and reconstruction programs in the affected areas (Tempo.co, Jakarta:21 Oktober 2018).

Following the earthquake, tsunami, and liquefaction disaster in 2018, the Palu City Government designated several locations for the construction of Permanent Housing (Huntap) for affected communities. One of the areas chosen was Talise Valangguni Village in Mantikulore District. However, the implementation of this program faced serious obstacles due to overlapping land ownership claims between the government and local residents. Most of the area planned as Huntap, covering approximately 46 hectares, had long been controlled and cultivated by the Talise community as their source of livelihood. This situation has caused vertical tension between the residents of Talise and the Palu City Government, as the development policies are considered to neglect the rights of the local community who have historical and economic ties to the land. As a result, the Huntap development project, which was originally intended as part of post-disaster rehabilitation efforts, has instead sparked new agrarian conflicts at the local level.

The Talise community strives to defend and reaffirm their land rights, claiming them as ancestral heritage that they have long managed as productive agricultural land. In fighting for these rights, various efforts have been made, ranging from persuasive approaches through negotiations and dialogue with the government to collective actions involving large-scale mass mobilization. However, all these steps have not resulted in a satisfactory resolution for the residents. The community's rejection of the Palu City Government's plan to turn the area behind STQ, Talise Village, into a Stage III Permanent Housing (Huntap) site indicates resistance to policies considered to disregard their historical rights. According to the statement of the Chairman of the Talise Bersaudara Forum, part of the land has been occupied and cultivated by residents since the 1990s. The community stated that they do not reject post-disaster rehabilitation and reconstruction programs on humanitarian grounds, but demand that their

implementation does not sacrifice the human and social rights of residents who have long depended on the land (kompas tv sulteng 10 juli 2020).

The public regrets the attitude of the Palu City Government, which seems to show no empathy towards the community, who had previously cultivated and managed the land before the area was designated as Green land by the Palu City Government. In fact, the law is very clear that "The earth, water, and airspace along with the wealth contained therein are controlled by the state and used for the greatest prosperity of the people," as stated in Article 33 paragraph (3) of the 1945 Constitution. Based on the wording of the article, it can be understood that all the land of Indonesia is under the authority of the State, and as a consequence, the State is obliged to use the land for the welfare of the people, not for the interests of a handful of politicians or business elites. Furthermore, Article 18, paragraph 2 of the 1945 Constitution also explains that the State acknowledges and respects customary law communities along with their traditional rights as long as they are still living and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia.

2. Method

This study uses a qualitative method with data collection techniques through discussions or interviews. Qualitative research is intended to understand phenomena related to what is experienced by the research subjects, such as behavior, perception, motivation, actions, and others in a holistic manner and descriptively in words and language, in a specific natural context and utilizing various scientific methods. (Moelong 2011:6). This study focuses on Agrarian Conflict Resolution in the Permanent Housing Project for Earthquake Victims in Talise Valangguni Village, Mantikulore District, Palu City.

This research was conducted in the Talise Valangguni sub-district of Palu City because the area is the planned site for the construction of Permanent Housing (HUNTAP) and the area allows the researcher to obtain data relevant to the research title.

The unit of analysis is the entity being studied, which relates to objects, individuals, or groups as the research subjects. The unit of analysis can serve as a reference in conducting research. In any study, determining a unit of analysis is very necessary. In this research, the unit of analysis used is the community involved in land conflict between the Talise Valangguni Community and the Palu City Government in Talise Valangguni Village, Mantikulore District, Palu City (Hamidi, 2005).

Data collection is an important part of research. The data or information obtained determines the success of a study, whether it is qualitative or quantitative data sourced from primary or secondary data. Data collection in this research plan is carried out in two stages, namely:

1. Primary Data, data obtained from observation, interviews, and documentation conducted by the author based on predefined guidelines as well as direct observation of informants
2. Secondary data, data obtained from documents, records, reports, and official archives, which can support the completeness of primary data.

The use of primary and secondary data is carried out simultaneously with the aim of complementing each other according to the research needs. This approach is also intended to allow researchers to make comparisons between field findings and supporting data, resulting in a more comprehensive and valid analysis.

3. History of Talise Valangguni Village

The history of the establishment of Talise Valangguni Subdistrict is closely related to the process of administrative formation and development of the city of Palu. Initially, Palu held the status of a city within the Swatantra Donggala region as regulated by Law Number 29 of 1952. Changes in the government structure later occurred along with the abolition of the swapraja government system through Law Number 1 of 1957 and Law Number 29 of 1959. Furthermore, through Law Number 13 of 1964, which was enacted on April 13, 1964, the Central Sulawesi Province was established with Palu officially designated as the provincial capital. This administrative transformation became an important foundation for the emergence of new governmental areas, including Talise Valangguni Subdistrict, within the administrative structure of the city of Palu.

The name Valangguni comes from the term for a local plant that has the characteristic of climbing or twining around the trunk of other trees, with a stem roughly the size of a human arm. Etymologically, this term originates from the Kaili Topo Tara regional language. In the Kaili dialect, the word “Vala” means a plant that climbs or spreads, while “Ngguni” means yellow. Thus, Valangguni can be interpreted as “a plant with yellow stems and roots.” This naming reflects the connection between the identity of the region and the local natural wealth that is part of the cultural heritage of the local community.

According to local beliefs, the Valangguni plant has high efficacy in traditional medicine. This plant is widely known among the community as 'Yellow Root' and is believed to have various health benefits. Empirically, yellow root is used as a natural medicinal ingredient functioning as an antibiotic and anti-inflammatory, as well as serving as a tonic to boost the immune system. Additionally, this plant is believed to strengthen immunity, address digestive disorders such as gastritis, and help restore stamina for individuals who tire easily. To this day, traditional knowledge about the benefits of yellow root is still preserved and remains a part of the local community's herbal medicine practices.

3.1. The Geographical Condition of Talise Valangguni Village

Geographically, Talise Valangguni Subdistrict is located within the administrative area of Mantikulore District, covering an area of approximately 5,516 hectares. This area has a tropical climate characterized by two main seasons: a dry season that lasts from April to September and a rainy season that occurs from October to March. The average monthly

rainfall ranges from 2 to 7 mm, with the highest intensity usually occurring in April, November, and January. The air temperature in this area is relatively high, ranging from 33°C to 37°C, with an average of around 35°C. The average air humidity reaches 74.8%, with monthly variations between 69% and 79%. Astronomically, Talise Valangguni Subdistrict is positioned at 0°50'35.8" South Latitude and 119°53'08.4" East Longitude (Toponimi Kota Palu Tahun 2011).

Talise Valangguni Subdistrict is located in a hilly area on the outskirts of Palu City and has soil characteristics that are considered fertile. This condition gives the area high potential for the development of the agricultural sector as the main source of livelihood for the local community. However, after this location was designated as one of the permanent housing development areas (Huntap) for the victims of the earthquake on September 28, 2018, most of the community's farmland was converted to other uses. As a result, many farmers lost the land they used to cultivate, which had been their primary source of income, leading to significant changes in the social and economic structure of the local community.

3.2. Socio Cultural Conditions

a. Livelihood

The community residing in Talise Valangguni Subdistrict has a fairly diverse range of occupations, influenced by the geographical conditions of the area as well as individuals' ability to adapt to available economic opportunities. This job variation reflects the community's strategy in sustaining their livelihood amid limited local resources. In terms of workforce composition, the majority of the population are high school graduates, with a small portion holding a university degree. This situation affects the quality and productivity of the workforce, which is generally still low in terms of work experience and income levels.

a. Religion

The population composition in Talise Valangguni Subdistrict shows a fairly high level of social and religious diversity. In addition to the native residents, the area is also inhabited by newcomers who purchase land and settle permanently, forming communities with diverse ethnic and religious backgrounds. Demographically, the population of Talise Valangguni is recorded at 3,979 people, consisting of 3,634 Muslims, 322 Christians, 19 Catholics, and 4 Buddhists. This condition reflects the presence of religious plurality coexisting in the social life of the local community, with a dominance of Muslims while still showing a relatively good level of tolerance and social cohesion among different religious groups.

3.3. Causes of Defense Conflicts in Talise Valangguni Subdistrict

The land dispute issue in Talise Valangguni Subdistrict began with claims of land ownership between the local community and the Palu City Government, which later escalated into a vertical conflict. The land in question holds historical and cultural value

for the residents, as it is believed to be an ancestral heritage as well as agricultural land that they have managed for generations. The government's plan to use the area as a site for Permanent Housing (Huntap) for disaster victims sparked opposition from some residents who felt their land rights were being ignored. Most of the community's claims are verbal and not supported by formal legal evidence such as land ownership certificates (title deeds). Although there are residents who have Land Registration Certificates (SKPT), the clarity of the boundaries and the location of the land listed is still uncertain. This uncertainty about the legal status of the land is the main source of tension between the people of Talise Valangguni and the Palu City Government.

The land dispute in Talise Valangguni Subdistrict originated from a claim of land ownership between the local community and the Palu City Government, which later escalated into a vertical conflict. The land in question holds historical and cultural value for the residents, as it is believed to be an ancestral heritage as well as agricultural land that they have managed for generations. The government's plan to use the area as a site for Permanent Housing (Huntap) for disaster victims sparked opposition from some residents who felt that their land rights were being ignored. Most of the community's claims were verbal and not supported by formal legal evidence such as land ownership certificates (rights documents). Although there are residents who have Land Registration Certificates (SKPT), the clarity of the boundaries and location of the land listed is still uncertain. This uncertainty of the land's legal status is the main source of tension between the people of Talise Valangguni and the Palu City Government.

This conflict has been going on for a long time, but the peak of this land dispute occurred after the earthquake, tsunami, and liquefaction that happened on September 28, 2018, which caused many casualties and left many residents without homes. This prompted the Palu city government to assess the land situation in the city as an opportunity to build permanent housing for the victims of the natural disaster. However, many of these lands have administrative issues because many of them have Business Use Rights (HGU) or Building Use Rights (HGB), and also many people farm and cultivate on these lands. As a result, the Palu City government is confused regarding the plan for the development of Permanent Housing because almost all the land is controlled by Limited Companies (PT). Since in the Talise area the lease period for the Building Use Rights has expired, the Palu city government took over the land for the plan to develop Permanent Housing. However, the problem is that many residents claim that these lands have been theirs for a long time.

4. Resolution of land conflict for Permanent Housing in Talise Valangguni Subdistrict

Conflict resolution is an effort made to resolve conflicts by seeking an agreement among those involved in the conflict (Muspawi, 2014:46). In this case, the resolution of vertical conflicts that occur between the local community and the regional government of Palu City through conflict reconciliation between these two parties can be considered quite complicated. This is due to the lack of clarity regarding the land and the existence of land that will be given to the demanding community. In the process of resolving land conflicts, consolidation and negotiations, as well as meetings between the relevant parties, especially the disputing community and the Palu City Government, have been frequently carried out. The conflict resolution process began with the issue of land eviction, which also included the agricultural land of the Talise and Talise Valangguni communities, continuing up to the decision of the Palu City Government, which then provided part of the land as compensation. This approach was taken by the Palu City Government to address and end the long-standing land conflict so that the development of Permanent Housing (Huntap) could proceed.

In seeking a resolution to this land conflict, the Mantikulore sub-district also provided some information regarding what could be the solution to the land dispute, namely that there must be legal harmonization, where both the laws and their implementing regulations must be synchronized and harmonious in order to minimize land disputes. Therefore, a comprehensive strategy is needed to anticipate and reduce the number of disputes in the land sector. To achieve this, several strategic efforts need to be implemented, such as state administration strategies, judicial strategies, and legislative strategies (Efendi, 1983).

To find a way out of this land conflict, the people and the Palu city government held a meeting called Land Consolidation, which refers to activities related to land use management by reorganizing land use and land ownership, so it can be seen that the solution to this land conflict is starting to take shape. The community will be provided with replacement land, which will be prepared by the Palu city government. Essentially, when discussing community rights, it cannot be separated from the applicable laws and regulations, which already govern community rights. From a theoretical perspective, land rights are rights of control over land that consist of a series of authorities, obligations, and/or prohibitions for the rights holder to take actions concerning the land to which they hold rights. Something that is allowed, obligatory, or prohibited to do, which constitutes the content of the right of control, is what becomes the criterion or benchmark among the rights of control over land regulated in land law (Harsono, 2003).

3. Conclusion

This research shows that land conflicts in the Permanent Housing (Huntap) project in Kelurahan Talise Valangguni stem from overlapping ownership claims between local communities and the government, exacerbated by weak land administration and a lack of transparency in public policy. Land that has long been managed by the community as a means of livelihood changes its status to a post-disaster development site without adequate consultative mechanisms. This situation generates social resistance because

the community perceives the land acquisition process as disregarding their historical and moral rights.

The conflict resolution process highlights the importance of a non-litigation approach based on dialogue and negotiation. The Palu City Government ultimately chose a compromise route by providing replacement land for the affected community. This resolution model serves as evidence that agrarian conflicts cannot be resolved solely through formal legal approaches, but require strong social, participatory, and humanitarian dimensions.

The findings of this study underline that the success of agrarian conflict resolution heavily depends on three main factors: (1) the government's commitment to promoting social justice and transparency of public information, (2) active community participation at every stage of decision-making, and (3) the synchronization of agrarian regulations to prevent conflicts between development interests and community rights. By integrating these three aspects, post-disaster development can proceed without compromising the affected residents' right to their living space, while also strengthening the foundation of sustainable social peace.

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