

# Management of Indigenous Forests Based on Local Wisdom to Maintain the Existence of Indigenous Peoples in Rokan IV Koto

*by* Hayatul Ismi

---

**Submission date:** 12-Jun-2023 09:32AM (UTC+0700)

**Submission ID:** 2114058358

**File name:** aintain\_the\_Existence\_of\_Indigenous\_Peoples\_in\_Rokan\_IV\_Koto.pdf (329.19K)

**Word count:** 2305

**Character count:** 12698

# Management of Indigenous Forests Based on Local Wisdom to Maintain the Existence of Indigenous Peoples in Rokan IV Koto

Ulfia Hasanah\*, Hayatul Ismi  
 Faculty of Law  
 University of Riau  
 Pekanbaru, Indonesia  
 \*ulfia.hasanah@lecturer.unri.ac.id

**Abstract**—The recognition of indigenous people by the state is stipulated in the constitution. The exclusivity of Indigenous Peoples most maintained one of them by involving indigenous peoples in forest management. Each indigenous people has its own pattern in managing natural resources around it. This research aims to find out the existence of Indigenous Peoples in Rokan IV Koto in Customary Forest Management and identify forms of local wisdom of indigenous peoples in forest management. This type of research is sociological juridical, which views law as a social symptom that can be observed in the observation of people's lives. The selection of this type of research is related to Local Wisdom in Forest Management, in which case researchers will try to see the extent of the existence and authority of indigenous institutions in forest management. The approach used is a qualitative approach. The type and source of data used in this study is primary data (data obtained directly from the first source through direct interviews of competent selected respondents at the research site and secondary data (data obtained from available sources, such as laws and regulatory documents and relevant reading literature). From the results of the research it is known that didn't realized the recognition of indigenous peoples, so efforts are needed to be made to make the recognition of indigenous peoples. The government should involve the community more in forest management as one of the recognition efforts for indigenous peoples.

**Keywords**—existence, forest, indigenous peoples, local wisdom, management

## I. INTRODUCTION

Forests are natural resources that have a very important function for human survival. The preservation of forests is an inevitability for the survival of development [1]. Several countries, including Indonesia, regulate forest management through the constitution. One form of forest conservation efforts in Indonesia is the recognition of indigenous peoples and customary forests by the state [2]. Every indigenous people has a local wisdom in managing forests and the environment.

The development of science and technology as a result of today's development, recognized or not, has degraded the function of local wisdom and culture in forest management. Although governed by the constitution, in reality indigenous peoples are not much involved in forest management, including customary forests [3]. This objective condition of course threatens the existence of indigenous peoples whose lives have been very dependent on customary forests.

The long history of Rokan's Kenagarian journey with his kingdom so preserves and preserves the value of local wisdom. Customary norms become guardians of harmonization of relations between communities and nature, namely with prohibitions in the form of land determination that can be worked on and land determination that should not be worked on. This provision is firmly maintained. Customary sanctions were imposed on forest and environmental abusers. This illustrates that the values of local wisdom and the institutional role of indigenous institutions are proven to maintain forest sustainability [4]. Forest management based on local wisdom by indigenous peoples has been proven to preserve forests for generations [5]. Therefore, it is necessary to study in-depth on local wisdom-based forest management models to be able to maintain the existence of indigenous peoples in Rokan IV Koto.

## II. RESEARCH OBJECTIVES

This research aims to find out the existence of Indigenous Peoples in Rokan IV Koto in Customary Forest Management and identify forms of local wisdom of indigenous peoples in forest management as well as forms of involvement of indigenous peoples in forest management to maintain the existence of indigenous peoples themselves.

## III. RESEARCH METHODS

Research methods are necessary to obtain research results because they include procedures in carrying out research. This research uses descriptive qualitative research methods.

Qualitative research by Silalahi is a study that describes content but not based on statistical accuracy. Descriptive qualitative research becomes relevant because researchers need descriptive data in analyzing the values of local wisdom in forest management in Rokan IV Koto, Rokan Hulu. Primary data is sourced from informants who are then interviewed in depth from several elements, namely: Rokan IV Koto village government, indigenous leaders and local communities Rokan IV Koto in direct contact with tradition and conduct efforts to manage Rokan IV Koto indigenous forests while, secondary data is obtained from various supporting documents such as local regulatory documents and journals obtained during research. Data collection is carried out with 3 (three) stages, namely in-depth interviews, observations and documentation. During and after the process of collecting research data, researchers process data with qualitative data analysis techniques that can then be drawn conclusions from the discussion analysis.

#### IV. RESULTS AND DISCUSSIONS

##### A. *The Existence of Indigenous Peoples in Customary Forest Management*

Origin 18B paragraph (2) of the 1945 Constitution provides a constitutional foundation that guarantees the existence of indigenous peoples with conditional recognition. Such recognition includes protection as a subject of law along with the traditional rights attached to it including in terms of the management and utilization of natural resources. The provision of article 18B of the 1945 Constitution are affirmed through article 33 paragraph (3) of the 1945 Constitution where the State is responsible for the management and utilization of natural resources with the greatest orientation for the welfare of the people. This means that indigenous peoples are given the opportunity in the management of natural resources through their ulayat areas including customary forests as part of the recognition of the existence of indigenous peoples as further regulated in Law No. 41 of 1999 on Forestry.

Constitutional Court Decision No. 35/PUU-X/2012 concerning The Testing of Law No. 41 of 1999 on Forestry. This Constitutional Court ruling has provided an opportunity for the development of the existence of indigenous peoples over the control of customary forests. Hal this can be seen from the Constitutional Court's ruling that asserts that customary forests are no longer part of state forests, but are part of forest rights. This ruling removes the stigma of conception related to the determination of forest areas in Indonesia. Delay in recognition of customary forests after the Constitutional Court ruling is indicated because 3 (three) things; (1) Regulations related to the recognition of indigenous peoples and their territories seem constitutionally formalistic, (2). Misconceptions about forest areas are only state forests, (3). Political and economic motivations that ignore the recognition of the rights of indigenous peoples and their territories [6].

After the constitutional court decision No. 35/PUU-X/2012 there are several fundamental things related to the rights of

indigenous peoples to forests, including: (1). This ruling brings a new concept about the power of customary forests as part of rights that can be fully controlled by indigenous peoples as legal subjects so that it no longer allows the existence of unilateral state intervention on the claim that the forest is a state forest. (2) Strengthening the existence of indigenous peoples over forests as decided by the Constitutional Court No. 35 / PUU-X / 2012, cannot be interpreted immediately can be owned by indigenous peoples but with the requirement that the indigenous peoples have recognized their existence first. (3) Recognition of the existence of indigenous peoples can only be done if it has fulfilled the requirements of khsusu as required in article 67 paragraph (2) jo explanation of Article 67 paragraph (2) of Law No. 41 of 1999 concerning forestry [7].

##### B. *Management of Indigenous Forests Based on Local Wisdom by Indigenous Peoples in Rokan IV Koto*

The new concept in the pattern of natural resource development is interpreted as a comprehensive effort in managing sustainable resources by involving community participation. This participation becomes interesting considering that each region has its own customary character which is often termed with local wisdom.

Rokan IV Koto is an area rich in local wisdom. In the history of its journey, the indigenous people of Rokan IV Koto hold firmly to socio-cultural values as an effort to harmonize the relationship between humans and nature. Local wisdom becomes a provision of customary law as a standard of nature in the management and utilization of forests. The ultimate goal of local wisdom is an effort to bathe the community in order to improve the welfare of its life through the optimization of power, strength, and ability so as to be able to access productive resources to give birth to independence, courage to act and make decisions [5].

The area of forest in Rokan Hulu regency is 383189.00. (<https://riau.bps.go.id>). Customary provisions related to the maintenance of forestry resources in the indigenous peoples of Rokan IV Koto are enforced very strictly, even accompanied by sanctions as a deterrent effect against forest environmental destroyers. This illustrates the concern of Ninik Mamak indigenous stakeholders towards the commitment of managing and utilizing environmentally friendly and sustainable forestry resources as aspired in the country's constitution.

Based on research obtained information that local wisdom in the indigenous people of Rokan IV Koto in the management and utilization of forests is still running and maintained. Local wisdom includes:

1) *The management and utilization of natural resources is carried out wisely and balanced based on the sustainable preservation of nature, including:*

- Rimbo Sialang;
- Rotan Kabun;
- Land of Paladangan;

Considering that the land is often planted with hard and long-term crops, the right of defense is not evenly enjoyed by the next generation, even many of them sell their wilayat rights resulting in this land model is no longer enforced.

2) *Maintaining the preservation of the parent tree.* This is interpreted as the concept of continuous preservation, so that from this old tree emerges peranakan seeds as a source of seedlings for the future. This applies to non-timber forest products such as rubber, fruits, skin, and oil. But this tradition is slowly starting to disappear as awareness fades of the continuity of forest yield diversity.

3) *Maintaining trees along the river area.* This is commonly done as a guard so that the riverbank does not collapse due to erosion, in addition to maintaining the function of forests to regulate water systems and prevent flooding.

4) *Pattern of cooperation.* Along with the development of time, as well as the busyness of community activities in fulfilling their living desires, this condition has rarely been found, so that the inability of the community in managing land, it is left to wage workers.

### C. *The Imposition of Levy Funds*

Levies collected include the utilization of wood, sand, and rocks and submitted to customary institutions. This levy is in the form of; (1) *Bungo Tanah*; in the form of produce and mines such as sand and gravel in the river, (2). *Bungo Wood*; proceeds from the sale of forest timber, (3). *Pancuang Aleh*; the proceeds of the sale of land or other objects, (4). *Tobiang* collision; daily levies on land and water traffic. (interview with Datuk Bendaharo, June, 2021)

In general, the levy is levied with the concept of not burdensome to the community, the result of the collection of this levy returns to the community with fair and useful provisions, such as helping the community (*nephew's grandson*) who are less able, disaster assistance, and or medical assistance and others. Interview with Datuk Anyo Kru Kosumo, June 2021)

Over time, there has been a fad from the application of local wisdom in the management of this forest. Furthermore,

the source said that the retreat of local wisdom values is influenced by several factors, such as (1). Fading suri tauladan figure, (2). Conflict, (3) land transfer, and (4) urgent economic needs (interview with H. Syamsi Sani, S.Sos, August, 2021)

### V. CONCLUSION

The long history of the journey of the indigenous people of Rokan IV Koto proves that the values of local wisdom are able to create harmonization of human relationship with nature. This harmonization occurs as a form of contribution and care of *Ninik Mamak Stakeholder* In maintaining natural resources from damage and extinction so that it can be enjoyed continuously and sustainably until the *nephews* in the future. The ultimate goal of managing and utilizing natural resources is able to provide the greatest welfare for the community.

### REFERENCES

- [1] H.B. Gusliana and M. Hanifah, "Pola Perlindungan Hutan Adat Terhadap Masyarakat Adat Di Provinsi Riau Pasca Putusan Mahkamah Konstitusi Nomor 35/PUU-X/2012," *J. Huk. Republica*, vol. 16, no. 1, pp. 183–200, 2016.
- [2] B. Wiyono, "Kedudukan Hutan Adat Pasca Putusan Mahkamah Konstitusi Nomor 35/Puu-Ix/2012 Dan Hubungannya Dengan Pengelolaan Hutan Di Indonesia," *J. Surya Kencana Dua Din. Masal. Huk. dan Keadilan*, vol. 6, no. 1, 2019.
- [3] H.L. Hadri, "Pemenuhan Hak Masyarakat Hukum Adat Dalam Penguasaan Hutan Adat Di Kabupaten Lampung Barat," *Istinbath J. Huk.*, 2018.
- [4] D.G. Rahayu, M. Mardhiansyah, and T. Arlita, "( Identification of Factors Cause Faded Of," *Jom Faperta*, vol. 1, no. 2, 2014, [Online]. Available: <https://media.neliti.com/media/publications/201488-identifikasi-faktor-faktor-penyebab-luntu.pdf>.
- [5] B. Azwar, D. Roza, H. Thamrin, and E. Elfiandri, "Strategi Keberlanjutan Pengelolaan Hutan Larangan Adat Kenegerian Rumbio Kabupaten Kampar Propinsi Riau," *Din. Lingkungan. Indones.*, vol. 8, no. 1, p. 57, 2021.
- [6] M.T. Wicaksono and M. Malik, "Konteks Politik Hukum Di Balik Percepatan Penetapan Hutan Adat: Catatan Ke Arah Transisi 2019," *J. Huk. Lingkungan. Indones.*, vol. 4, no. 2, pp. 25–46, 2018.
- [7] S. Greetings, "Protection of Indigenous Law Communities Over Customary Forests," *J. Nov. Law*, vol. 7, no. 2, p. 109, 2016.

# Management of Indigenous Forests Based on Local Wisdom to Maintain the Existence of Indigenous Peoples in Rokan IV Koto

---

## ORIGINALITY REPORT

---

20%

SIMILARITY INDEX

11%

INTERNET SOURCES

17%

PUBLICATIONS

6%

STUDENT PAPERS

---

## MATCH ALL SOURCES (ONLY SELECTED SOURCE PRINTED)

---

7%

★ Jenny Kristiana Matuankotta, Eric Stenly Holle.  
"State Recognition and Respect for the Rights of Customary Law Communities in the Maluku Islands Region in the Exploitation of Forest Resources", SASI, 2022

Publication

---

Exclude quotes  On

Exclude matches  Off

Exclude bibliography  On