



Photo: SPM

Some members of the Free Farmers Union believe in lobbying as a way to bring about change. Others prefer a more visible approach, like here in Jakarta, where farmers demonstrate for agrarian reform.

## The Free Farmers Union and their fight for land

**What can a small farmer do if his or her land gets grabbed by a powerful state organisation such as the Indonesian navy? Forming a group and fighting for your rights is a first step. Moreover, you need expertise from NGOs or universities, legal advice and perseverance.**

**Abdul Syukur and Ngadiyono**

After Indonesian independence in 1945, more than 2000 families started growing crops on land that had previously belonged to the Dutch coffee and rubber plantations. In the districts of Pagak and Batur, in Malang, East Java, the plantations' foremen distributed the land to the local farmers. However, the tranquillity of farming life did not last long. In 1958 the Indonesian navy took over 400 hectares of the land in this area for training facilities. They later took another 50 hectares. To legitimate the navy's one-sided control over the land, the Ministry of Agrarian Affairs issued a special decree in July 1965.

Throughout the years, the farmers in these two districts tried to ensure their right to live on and cultivate the land, but were largely unsuccessful. There were many reasons for this. First, they were all unfamiliar with the legal status of their land. Most local farmers found it difficult to understand the rules and regulations governing agricultural land, especially those related to the land they were working on. Many of them took part in demonstrations against the navy and tried to contact the local authorities, but these actions proved useless. It was later clear that they were unsuccessful because they were only acting at a local level.

Then, in 1998, big signs were placed around the farming plots, stating "Property of the navy. Whoever plants or builds in this land must report to the navy". The signs were put up after the navy had previously announced a long set of rules: according to the first ruling, only local farmers holding land utilisation

permits (*petok*) could plant the kapuk tree (*Ceiba pentandra*), teak (*Tectona grandis*) and lamtoro trees (*Leucaena glauca*). Without the permit, farmers had no right to cultivate in the area. It was later agreed that sugar cane farmers had to pay a contribution of Rp 20 000 per hectare every year. Thirdly, farmers were requested to get a written permit, and to pay a fee, if they wanted to build a house or a mosque. On top of it all, they were told that if the navy needed the land the local farmers could not demand any compensation. All these regulations made it increasingly difficult to continue cultivating the land. Realising that a local struggle was fruitless, the farmers decided to demand legal ownership at a higher level.

### The struggle continues

Things started to look brighter in 1999 when the Research Institute of Social Development (LPKP) offered assistance. This is a local NGO, working with different programmes in the East Java province, such as advocating for agrarian reform or carrying out an organic agriculture programme. LPKP wanted to develop an agricultural production programme, but soon realised it was necessary to first look into farmers' land rights in this area. A series of meetings with the farmers helped the LPKP field officers understand the many anxieties and uncertainties which the farmers faced. Farmers felt unsafe and were uneasy about the soil and water conservation activities, as they wondered who would benefit from them in the future. How could they be sure that the navy would not force them to leave?

LPKP organised a series of training workshops on legal issues, to help farmers build their arguments as part of their struggle, and also to help them identify actions which can be categorised as a crime. As a result, local farmers began to see the advantages of working together to fight for their rights. The political changes in 1998-99 opened up the possibility to form farmer organisations throughout the country. This opportunity was taken up by the farmers in Pagak and Batur, who set up the Free Farmers Union (*Serikat Petani Merdeka* or SPM) in May 2000. The specific objective was to build a sense of

togetherness among all the farmers who lived and worked in the former Dutch plantations. The SPM was to serve as a vehicle in their struggle for land rights. It was also founded to help fight the climate of fear and intimidation, and to help farmers enhance their quality of life, both in a moral and an economic sense.

### Building capacities

In order to achieve its goals, SPM has been trying to strengthen itself as an organisation, looking both at its internal policies and capacities, and at its relationships with external partners. Their perspective is that if an organisation is weak, then it can be easily influenced by external factors. It has therefore worked hard in defining strategic plans for the next five years, conducting routine internal meetings, and co-ordinating meetings with policy makers at different levels. Internally, SPM also strengthened its human resources through trainings, seminars and workshops, with programmes that intensively involve the youth, men and women. Participative controls and evaluations have taken place every six months, assessing the organisation's activities and results, and also looking at the difficulties faced at the moment.

SPM leaders have been able to meet local and village authorities and district heads. In May 2002, LPKP arranged a meeting between SPM members and officers from the Malang Regional Administration. SPM also met with representatives of the National Land Affairs Authority and of the Regional People's Legislative Council. The discussions were meant to help gather clear and accurate information about the disputed land. Moreover, they tried to look for solutions which would please all parties involved. Although no solution was immediately found, these meetings helped build a good relationship between the farmers and the local authorities.

Later on, in order to broaden the organisation's presence, they decided to appoint a district coordinator (*korwil*) in every village. This person would be responsible for digging up information and then reporting the findings to the farmers in his or her district. *Korwils* are also in charge of communicating with the village administrative bodies, and reporting SPM's most recent activities.

Needless to say, things have not always been easy within SPM, with frictions and disagreements arising among the members. In some cases, farmers were requesting greater transparency (especially referring to the organisation's finances and administration). Members also expressed their different ideas on how to proceed – some were more in favour of a “soft” approach like lobbying, while others (especially those influenced by university students) preferred to go for the “hard way”, organising large scale demonstrations. Some of the SPM members think that the current situation is good enough, as they can work on the land without being disturbed by the navy. Others want to continue their struggle until they can get legal certification or property rights. Intimidation and threats have also continued, and one of the SPM leaders has even had to go into hiding.

These difficulties, however, have been minimal compared to the advantages of working together. The sense of togetherness increased their willingness to fight for their rights. The network that they built helped them find the information needed to support their struggle. In general, their actions became more organised. As an organisation, SPM was able to establish links with the Agrarian Development Center, Faculty of Law, Malang Brawijaya University (in East Java). Interactions between farmers and the law students gave farmers useful ideas and

information. They learned about legal terms and procedures, and about the possibilities for staging protest rallies in Jakarta, Indonesia's capital. As a result, the organisation members believe that they will soon achieve their goal.

### Lessons and challenges

There are some important conclusions that can be captured from this experience. First, the fight for the legal right to land takes a lot of time and is very exhausting. Therefore, all members need to be involved in preparing and defining tactics and strategies. Second, farmers' struggles need supporters. Lack of support can increase the organisation's vulnerability. Increasing the organisation's network is therefore crucial. It is necessary to be linked to other farmer organisations that have the same vision and concerns, either at a regional or national level. This may cement strong support to the struggle. Lobbying with crucial decision makers like the National Land Affairs Authority and the Regional People's Legislative Council can put an end to the battle for legal status for their land. Moreover, the link with the media is vital. Support for these struggles can be much larger if the organisations involved are able to reach the general public and influence public opinion.



**The sense of togetherness that members of the Free Farmers Union experience, has increased their willingness to fight for their rights.**

Even though the problems of land ownership have not yet been settled, SPM feels that some results have been achieved. For example, the National Land Affairs Authority recognises now that the disputed land belongs to the state, and not to the navy or to the armed forces. This is a very positive step, as the land's legal status is not vague anymore. Another positive outcome is the support received from the village administrative bodies and the village legislative authorities. The number of SPM members (both men and women) is growing significantly in every village. Moreover, the second committee of People's Legislative Council of the Indonesian Republic visited the disputed land, demonstrating its support for the struggles. This also confirmed the undisputed lobbying and negotiation abilities of SPM's members towards high level authorities and decision makers. Most importantly, the local farmers have demonstrated the courage to persist with the fight for their standpoint. ■

**Abdul Syukur and Ngadiyono.** LPKP Malang. Perum Karanglo Indah I/4 Malang, Jawa Timur, Indonesia. E-mail: lpkp-jatim@indo.net.id

*This article was first published in vol. 19 of SALAM, the Indonesian regional edition of the LEISA Magazine.*