



Agrarian Conflict in Air Kumbang District, Banyuasin Regency

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Article Info

Article history:

Received 12 Oct, 2025

Revised 21 Dec, 2025

Accepted 05 Jan, 2026

Keywords:

Agrarian Conflict, Plasma Land, PT Andira Agro Tbk, Land Ownership Inequality, Agrarian Justice

ABSTRACT

This study aims to analyze the dynamics of agrarian conflict between the communities of Desa Sebubus and Air Kumbang Bakti and PT. Andira Agro Tbk, as well as to examine the community's efforts to seek agrarian justice. The research adopts a qualitative approach, utilizing in-depth interviews and document studies to collect data from various stakeholders involved in the conflict. The theoretical framework includes Wiradi Gunawan's agrarian conflict theory, emphasizing structural inequalities in land ownership between large corporations and local communities, and Sajogyo's socio-economic agrarian theory, which explains agrarian conflict as a result of imbalanced social relations and the shift of land functions from social purposes to dominant economic commodities. Findings reveal significant disparities in land control, where PT. Andira Agro Tbk holds extensive core plantation land while the community struggles to access their rightful plasma land. The company's failure to comply with the obligation to provide at least 20% plasma land as mandated by Plantation Law No. 39 of 2014 highlights structural injustice as the root cause of the conflict. Furthermore, unclear regulations, weak legal protection for indigenous land rights, and criminalization of residents attempting to defend their rights exacerbate the conflict. The study comprehensively portrays the social, economic, and legal aspects underlying the conflict and describes ongoing efforts toward resolution by involved parties.

INTRODUCTION

PT Andira Agro Tbk claims that 20% of the land is community plasma as stated in the decision of the Regent of Banyuasin where an area of 232 hectares should be intended as the location of the plasma plantation of the 2 villages, and the 232 land is outside the HGU of PT. Andira Agro Tbk, precisely the PT. Andira Agro Tbk claimed it as the Company's core garden based on the SPH that the company got from Adiyono who led the land acquisition at that time. Meanwhile, this is contrary to what is stipulated in Law No. 39 of 2014 that companies should have HGU (Right to Use Business) and are not allowed to hold SPH or land transfer deeds in plantation operations. In addition, the community admitted that they had never provided the original documents to the company, which occurred that it was suspected that the SPH obtained by the Company was fake due to the misappropriation of funds for land acquisition costs, which were not handed over directly by the company to the land owner community at that time. The funds were instead channeled through a third party, namely Adiyono, who was entrusted by the company to take care of the entire release process. According to Salman Hs, who acted as the power of attorney of the two disputed villages, at that time only a few people received compensation money that should have been used to pay for the land of the landowner community. Meanwhile, most other landowners did not receive such compensation at all, so many Communities admitted that they never submitted any documents to the Company at all.

This conflict occurred over the years causing various losses, not only in terms of material but also social. The community continues to demand their rights, but the company does not heed the complaints of landowners who feel oppressed. Since 2016, when the land planted with oil palm trees began to produce harvests, the community has been working hard to fight for their rights. However, until now, the community has not received what should be their right, because the 232 hectares of land that should have plasma status is actually claimed by the PT Andira Agro company as core land.

Until June 4, 2020, there was a dispute land management through a letter from the Assistant Director of PT. Andira Agro Tbk to the Head of Sebubus Village. Then a village team was formed to verify land ownership documents, and the verification results were submitted to PT. Andira Agro Tbk on July 1, 2020. In March 2022, the verification results recommended that PT. Andira Agro Tbk returned 180 hectares of land to the community. However, it was not run by PT Andira Agro Tbk, in fact in April 2022, the company reported Salman HS, who is also the Head of Sebubus village, and several others for alleged forgery of letters. Mediation conducted in October 2022 was fruitless, and further mediation efforts in January 2023 also failed due to the Company's absence, so this conflict is still ongoing to this day with the Community continuing to try to demand what is their right.

Indonesia has experienced various agrarian conflicts related to land ownership and control since the Dutch colonial era, this problem not only involves disputes between individuals, either directly or in the context of community groups, but also often involves conflicts between individuals or community groups and the rulers or the government. This situation reflects the complexity of social relations and power in the management of land resources in Indonesia. Conflict according to Susetiawan (2000: 45) in (Ritonga, Fedryansyah, & Nulhakim, 2022) can be understood as a situation in which a group of people is present to fight for and defend their interests. In other words, conflict occurs when the group actively seeks to defend rights and interests that are considered important to it.

The conflicts that occurred between PT Andira Agro Tbk and the community that are still ongoing to this day certainly cause various social tensions that occur not only between the community and the Company. Some community members even have to deal with the police because they are considered to have committed theft while carrying out harvesting activities in oil palm plantations that are areas of conflict. This of course happens as a result of the lack of legal certainty regarding this conflict, making the dispute problem longer and more complicated. The settlement efforts made by the Government and related parties to resolve this problem have not found a bright spot until now. This is the basis for the researcher to conduct a research entitled "Agrarian Conflict in Air Kumbang District, Banyuasin Regency"

This research will also explore how agrarian conflict resolution mechanisms, such as data collection, verification, and juridical analysis, can be applied in the context of this case to find solutions that meet the needs of all parties. In addition, by taking into account the principles of human rights and social justice, this research contributes to the understanding of the need to respect citizens' rights to land in any conflict resolution effort. Thus, the results of this study are expected not only to provide understanding for conflict resolution between PT. Andira Agro Tbk and the community, but also serves as a reference for broader agrarian policies in Indonesia.

RESEARCH METHODS

This research model is research conducted in the field. This type of research falls under the category of qualitative research, where the procedures used aim to produce detailed descriptions. The description serves to describe and explain the problem being researched, in this case related to the settlement steps implemented by all related parties in the case of Agrarian Conflict that occurred between PT Andira Agro Tbk and the people of Sebubus village and Air Kumbang Bakti village.

RESULTS AND DISCUSSION

This study confirms that agrarian conflicts in Air Kumbang District are rooted in structural inequality in land tenure between large companies and local communities. PT. Andira Agro Tbk controls the core land of large plantations, while people who are entitled to at least 20% plasma land according to Law No. 39 of 2014 face difficulties in obtaining their rights. The company's claim of 232 hectares of plasma land as a core plantation based on an allegedly fake Letter of Delegation of Rights, as well as the company's failure to carry out its legal obligations, exacerbated the conflict that had an impact on economic welfare, social relations, and community stability.

The dynamics of this conflict involve various parties, including village communities as land owners who struggle to defend their rights by forming a verification team, which is a group or task force formed to conduct field examinations and validation related to claims, documents, and facts related to land disputes that occur. village and local governments that try to facilitate mediation, as well as security forces who play a law enforcement role but also stoke tensions with accusations of criminalization of citizens. Mediation efforts failed due to the company's absence and lack of transparency in dispute resolution. In addition, internal conflicts among the power of the community have also created new tensions that complicate the resolution.

Overall, this conflict reflects the structural injustices that occur in the management of agrarian resources in Indonesia, where the dominance of capitalist capital and weak legal protection of local communities result in inequality and prolonged conflicts. Effective settlement efforts require the involvement of all parties through transparent mediation mechanisms, strategic communication, and respect for people's land rights to achieve sustainable agrarian justice.

CONCLUSION

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ADVICE

Local governments and related agencies are advised to strengthen supervision and law enforcement on the implementation of the obligation to provide plasma land by companies in accordance with the provisions of the Plantation Law No. 39 of 2014, so that community rights to land are protected in a real and consistent manner.

Improving the capacity and professionalism of mediators needs to be a top priority so that the mediation mechanism can run effectively and produce decisions that are binding and acceptable to all parties to the dispute.

Companies should show a more open and cooperative attitude in every conflict resolution process by committing to fully carry out their social responsibilities to improve relations with the community around plasma land.

The community needs to receive legal education and continuous assistance so that they can understand and fight for agrarian rights properly without causing horizontal conflicts within the community.

Further research is needed to explore innovative and adaptive methods of agrarian conflict resolution, including the use of digital technology for mediation, communication, and monitoring the implementation of agreements in the field so that the settlement process can be more optimal and transparent.

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