

Transitional Function Conflicts of Protective Forest into Conservation Forest between Communities and Government

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Abstract— Indonesia is one of many rich countries with its natural resources, especially in the wealth of forest resources. Although different numbers have been reported by some sources, all agree that currently Indonesia has at least 50-60 million hectares of natural forest. *Taman Hutan Raya* (Tahura) Wan Abdul Rachman located in Pesawaran, Lampung province, had been stipulated through a Decree of the Minister of Forestry No.742 / Kpts-II / 1992 dated July 21, 1992 as its area reached 22,249.31 hectares which then also stated that the Register 19 area of Mount Betung changed its function from protected forest to conserved forest area. However, soon after the forest area is converted, a conflict occurred between Perhutani and the local community who had managed inside the forest area. Thus, the purpose of this study is to find out the causes behind the occurrence of function- transitional conflict from protected forest areas into conserved forests, and how are the efforts made by both Perhutani and the local community to stop the conflict itself. This study used an empirical juridical approach which was then designed as a qualitative research. In addition, the data sources of the study were primary data obtained from interviews and documentation. A descriptive analytical method was used by the researcher in order to analyze the data. It was found from the finding that: (1) the conflict was basically caused by the disagreement of the local community with the function transition set by Perhutani, they assumed that the function transition done by Perhutani might have bad effects on them. Hence, the local community demanded their rights due to the conflict. Moreover, a social conflict theory by Karl Marx stated that each social element has their own point of view in dealing with conflict. The conflict here arose because of the different view between the local community and Perhutani. (2) the efforts made by both parties so far were holding a partnership, and dividing the Tahura area into management blocks which administered by Perhutani.

Keywords— *Transition Functional conflicts, Protective Forrest, Conservation Forrest, community and government efforts*

I. INTRODUCTION

Indonesia is a country rich in natural resources, one of which may be the main source of forest resources. Although various sources say the numbers are different, but all agree at least Indonesia currently has 50 million-60 million hectares of natural forest. (Silvia Lismarini, 2016 : 5). Forests have many social and economic functions including forests that have functions to protect residential and commercial land and infrastructure from gravity natural disasters (for example landslides and debris) are important things like in the Pine area (M. Getzner et al, 2017: 150). Ironically, this abundance of Indonesian forest resources cannot be enjoyed by the people. According to the current laws and regulations of the 1945 Constitution, the Basic Forestry Law of 1967, and regulations for the derivation of forest resources controlled by the state.

The control and management of Indonesia's forests began to be carried out during the Dutch colonial administration, and is still maintained today. Through *Forest Use The agreement (TGHK)* in 1983, covering an area of ± 143 million ha or about 70% of Indonesia's land area was either forested or not designated by the government as a state forest area. This determination then has implications that have

turned out to be detrimental to the local community. Whatever the activities of the population in the forest area relating to the management and use of forest resources are considered to be in violation of laws and regulations, and can be punished. Labels that give rise to negative images, such as 'forest looters', 'encroachers' forests', 'wood stewards', 'wild inhabitants', 'isolated tribes', 'shifting cultivators' pinned to the population whose livelihood depends on forest resources (Ahmad Kusworo, 2000: 22)

Since the 1960s until the late 1980s forestry activities in Lampung preferably in timber exploitation by clearcutting. At that time timber production was still abundant and was also supported by the ease of the process of getting HPH (forest concession rights) HPHH (forest product collection rights), and small-scale logging permits. Timber exploitation and then stopped in the early 1990s because of natural forest timber is up dibabati, and no longer cutting area can produce sustainable timber. As a result, Lampung experienced a shortage of wood supply.

On the other hand, the increase in the number of Lampung residents is very rapid. In 1930 the population of Lampung was still around 406,000 people, in 1961 there were 1,667,511 people, in 1971 there were 2,775,695 people, in 1980 it increased 4,624,789 people, and in 1990 it was

6,015,803 people. Lampung is the most populous province outside Java, even in some densely populated areas such as Pringsewu, Pesawaran and Metro the population is the same as Java, which is more than 1,000 people per km². The rapid increase in population of Lampung is caused by migrants from Java through colonization, transmigration and migration spontaneous and spontaneous migration from southern Sumatra. The Javanese are the largest group that reaches ± 65% of the total population of Lampung, while the indigenous people of Lampung are only about 15%, Sundanese people are ± 12%, and the rest are southern Sumatran people (Semendo, Pasemah) and other tribe. (Ahmad Kusworo, 2000: 25).

Permits for opening forest areas for resident farming were given on a large scale in the 1960s. The permit to clear the forest was based on the enthusiasm of government officials at that time to expand the land for the farming of the population and obtain income from the exploitation of forest products. In its development, it turned out that the government, in this case the Lampung Forest Service, then could no longer control the clearing of the forest. In fact, there is no complete record of permits that have been issued for land clearing by residents in the whole of Lampung.

Land clearing in this forest area then extends uncontrollably. Some of problems is overlapping ordinances and the authority granting forest clearance, the limited ability of forestry officials in forest management and rapid population growth. Another factor is the large number of government and forestry officials who play permits, give irrational permits, for their personal interests. Strangely, to overcome this, the government then made unreasonable actions. In 1975 the Lampung Forest Service unilaterally revoked and canceled all permits concerning forest clearance that had been issued so far. The service also stopped the issuance of permits for opening the area for the people. Of course this policy caused shock. For information, in 1977 the area of forest that had been opened by the population reached 230,761 ha. Namely 120,012 ha of 314,858 ha of protected forest, 99,229 ha of 526,606 ha of production forest, and 20,520 ha of 394,650 asylum forests (Lampung Regional Forestry Office, 1986).

Forest Park (Tahura) Wan Abdul Rachman was determined through the Decree of the Minister of Forestry No.742 / Kpts-II / 1992 dated July 21, 1992 The area reached 22,249.31 hectares of this Decree was renewed by Minister of Forestry Decree No.408 / Kpts-II / 1993 which stated The Register 19 area of Mount Betung has changed function from protected forest to conservation forest area. (UPTD Tahura Wan Abdul Rachman, Forest Service of Lampung Province, 2016-7). After the fun transition, precisely in 1992 there was a big conflict which caused people who lived in the forest area to be angry at their government demanding rights in the management of the land and they still did not want to leave the forest area. the beginning of this conflict was a lot of misunderstandings about the occurrence of inappropriate news and many of the people and the government now did not really know what the conflict appeared in the beginning and what factors influenced the conflict there were still many who did not know.

Judging from the above case that the people who occupy the forest area Tahura Wan Abdul Rachman has been around since 1940 and is growing again in the 1960s in which

the population has reached thousands before the shift functions of forests Protected into forest conservation, while Protected forest itself is also not there may be people who inhabit the area. after the stipulation of the Minister of Forestry Decree No.742 / Kpts-II / 1992 dated July 21, 1992 the area reached 22,249.31 hectares this decree was renewed by the Decree of the Minister of Forestry No.408 / Kpts-II / 1993 which states that the Register 19 area of Mount Betung has changed its function from the forest protection became a conservation forest area, there was a conflict involving the government and the community, the occurrence of this major conflict after the issuance of the decree and many people were disadvantaged by the transition of this function.

The purpose of this writing is (1) to analyze the causes of the Conflict of the Functioning of Protected Forest Areas into Conservation Forests, (2) Analyzing the efforts made by Perhutani and the community to stop conflicts

II. RESEARCH METHOD

This type of research is juridical empirical (non-doctrinal), which is carried out in detail in the field and is descriptive. Using qualitative-descriptive methodology, collecting data directly through interviews (Ashshofa, 2013: 20). This study uses research instruments in the form of interview guidelines, observation / observation, and reading documents relating to the object of research and synchronizing with the relevant literature. Data sources that I use are primary data, namely data obtained directly from interviews and secondary data. Secondary data is data consisting of documents, books, electronic media/ internet and the results of research in the form of reports or data obtained from literature. Data analysis is done qualitatively, which is from the data obtained then arranged systematically, and then interpreted or implemented to answer the problem.

III. RESULT AND DISCUSSION

A. CAUSE OF CONFLICT TRANSITION OF FUNCTIONS OF PROTECTED FORESTS INTO CONSERVATION FORESTS IN TAHURA WAN ABDUL RACHMAN

In 1941, based on the Lampung Resident Decree on March 31, 1941 Besluit No. 307 The Gunung Betung forest area (Register 19 Gunung Betung) is designated as a protected forest area with an area of 22,244 ha. The mountain berung region itself is known as a fertile area if it is used for planting, before the establishment of protected forest in 1940 there were already people who entered the Betung mountain forest area and opened up land in the area but there were few and not too damaging forest areas, in in 1960 the forestry government gave permission to the community to open land in the area because in 1960 Indonesia was hit by an economic crisis because of the many permits that people entered into the area and opened up agricultural land, the more people who entered the area and caused damage to the forest the government revoked permits management in 1975 and the community had to leave the area.

The history of the entry of the Community into the Forest Zone was explained by Mr. Aryadi he was Deputy Chief of the Tahura from the interview I did on Wednesday, December 19, 2018, he explained that "The community entered the area in the 1940s, and began to open land forests by illegally cutting down forests, eliminating large trees and turning them into agricultural fields for them, initially only a few people entered the area but more and more people entered the forest area and cleared forest land as agricultural fields. From the beginning there were only ten families now becoming hundreds of families who opened agricultural land within the forest area. And more widespread in 1960 which numbered in the thousands".

According to Sinery (2013) "there has been a change in the pattern of utilization of natural resources in communities around forests from basic needs to patterns of desire". The consequence clearly has an impact on the existence of the area including the existence of communities around the area. Despite many efforts to improve forest conservation and biodiversity, it turns out there is still a lot of forest cover and a lot of lost natural resources and is still happening today. (Bonilla-Bedoya S. et al, 2018: 1046). But government actions open up new land such as large-scale agricultural concessions, infrastructure projects and land concessions. Forest clearing for agriculture, industry, and economic land concessions, is the dominant mechanism for the expansion of forest land open for economic activity. (RA Riggs et al, 2018-23)

The government gives written permits to the people who manage the area. In the late 1940s, the government has given permission to the society to open up agricultural land in the forest because it is at that moment in report on the economic crisis of the community and indeed most of the people who come are not native of Lampung but from outside Lampung like Java and indeed most of Java. And the government gave permission in large scale in the 1960s due to the weakening of the economy of society at that time. After the government granted permission to clear land in the forest area, many people abused the permit so that it made the forest more damaged and started many settlements in the area so that the government revoked the permit around 1975, from which the government acted decisively to vacate the land by lowering the community down so that not enter into the area. but not all communities can be moved, there are still many people who are secretly working on the area. the remaining people in the area are around 700 people.

The society said that The main factor in the conflict is the fulfillment of rights so we all want our rights to be returned indeed the land belongs to the state but we also have rights because we also have plants that we can harvest the results but at that time the government remained in its rules and the community remained at its founders not wanting to leave the area which also made it difficult to resolve these conflicts to maintain each other's wishes so that many people did reckless, like cutting down trees which resulted in them having to deal with the authorities until now even though there are still some people who are still like that".

This shows that the main factor that causes conflicts between the community and the government is the difference in interests between the community and the government, and

these differences contradict each other, and have not found the right solution. As Karl Marx's Conflict Theory is the theory of social conflict which views between social elements have different interests and views. Difference those interests and views that trigger social conflicts which leads to defeat each other, eliminate, annihilate among other elements. Conflict is a social phenomenon and that is a reality for every society. And it is a social symptom that will be present in social life, so that conflict is inherent which means that conflict will always exist in every space and time, anywhere and anytime. The key to understanding Marx is his idea of social conflict. Social conflict is a conflict between segments of society to seize valuable assets. (George Ritzer and Douglass J. Goodman, 2003: 185)

Conflict theory appears as a form of reaction to the flourishing theory Structural functionalism which is considered to be less concerned with the phenomenon of conflict as a symptom in the community that needs attention "The most influential thinking or become the basis of theory this conflict was the thinking of Karl Marx and in the 1950s, conflict theories were increasingly beginning to spread. "This theory aims to analyze the origin of the occurrence of a violation of rules or the background of someone who behave deviate. (Poloma, Margaret, 2010: 285)

Coser also discussed the rescue valve. The *safety valve* is a "one of the special mechanisms that can be used to defend a group from the possibility of social conflict". Rescue valves let out a surge of hostility without destroying the entire structure, conflict helps "clear the atmosphere" in chaotic groups. Coser saw the valve very functioning as a way out which eased hostility, without which relations between opposing parties would sharpen. (Johnson, 1986: 69).

Every human being has different needs from each other or has the same needs regarding something that is limited in number. Shifting the function of land in the community because of economic needs creates conflict or conflict between parties with an interest in the community itself. As stated by Maftuh who stated that "Conflict is a form of social interaction when two individuals have different interests and lose harmony between them. Maftuh, 2008: 1). Meanwhile Nar Woko and Suyanto explained that "conflict is a social process that takes place by involving people or groups who are mutually challenged with the threat of violence" (Narwoko and Suyanto, 2007: 68).

Wirawan mentioned several sources of conflict including "limited resources, different objectives, task interdependence, social system diversity, organizational differentiation, jurisdictional ambiguity, personal persons, improper reward systems, bad communication and inhumane treatment" (Wirawan, 2010: 8)

Tahura itself is a very vast forest and has very good natural potential, there are still many places that are still beautiful and have not been damaged, therefore the government increases the status of the area from protected forest to conservation forest, the Government issued a Decree of the Minister of Forestry Number 742 / KTPS-VI / 1992 Establish the forest area of Register 19 Gunung Betung to become a Conservation Forest which is named the Great

Forest Park Wan Abdul Rachman. And renewed in 1993 in the Decree of the Minister of Forestry Number 408 / KPTS-II / 1993.

At the time of the transition of the function of the forest in 1992 there were problems between the government and the community, these problems resulted in prolonged conflict which resulted in the destruction of the forest area. the conflict begins when the determination of forest areas turns into conservation because with the increase in the status of the automatic forest area the government will carry out acts of eviction simultaneously so that the community leaves the area, therefore many people make efforts to defend themselves to stay in the area, they demand rights as cultivators in the region.

Actually, it is a speech community who demanded his right to manage and retrieve the results managed by them, for the determination of the status of forests are higher so the it is difficult for them to manage and plant trees which they think can generate more money, than that they are less accepting of the new rules so that they demand justice, due to lack of response from the government and the government continues to empty the land, many of them are powerful there are desperate people who cut down trees on a large scale, there are those who act aggressively when the government controls, and many of them are jailed by the government for their actions, but they do so so that the government listens and considers their desires so that they can still manage the land and can take advantage of these crops, most of them grow coffee, and kakaw so they hope to be able to harvest the results of the plantation.

B. EFFORTS FROM THE GOVERNMENT AND THE COMMUNITY TO OVERCOME THE TRANSITION CONFLICT OF FOREST FUNCTIONS

The ongoing conflict coupled with the increasing number and extent of damage caused the government to take action as an effort to save the Tahura region. One of the efforts is to curb community settlements in the Tahura area. The government takes this action so that the community understands and is aware of the damage that occurs if they continue to occupy this forest area, in accordance with the Lampung Governor's Letter No. 522/0889/04/2004 dated June 14, 2004 coordinated with relevant agencies to disseminate to the public not to settle or build buildings within the Tahura WAR area.

The government is of the opinion that they are implementing a Letter from the Governor to disseminate information to the public so that they do not live or construct buildings within the Tahura WAR area. With step by step socialization the community wants to leave the area even though there are still many who live in the area, the control was carried out in 2004 we managed to dismantle around 405 houses and continued until 2010 we managed to dismantle 1,997 huts which initially totaled 2,468 Huts. Previously, we have also rehabilitated damaged areas since 2003, and have been running until 2012. This shows the existence of persuasive efforts carried out by the government and at the same time shows the community's compliance to carry it out. Although not all want to obey

These efforts gradually worked, the government managed to demolish the houses of the huts in the area even though there were still many who lived in the area but in this way the government managed to demolish them. At the end of 2004, from the original conditions there were 2,468 huts and 405 huts were able to be demolished and by the end of 2010 the government had successfully dismantled a total of 1,977 huts.

Although this method is quite successful, there are still many who live in the area, and until the end of 2018 there are still around 1,500 households working inside the Tahura area. The government is currently running a partnership program in which the cooperation agreement is made so that the community and the government continue to run the procedures in accordance with the regulations, the government also hopes for community participation in this program, in terms of forest area management.

Currently the government is trying to establish cooperation or partnerships with the people working on this partnership which has been planned since 2017 but started to run in early 2018. With the existence of this partnership, it is expected that the government and cultivators can work together to improve the forest again, the community will benefit from the government and will also benefit by returning the function of the forest again. This collaboration was formed by the government so that people can realize and participate in returning to the forest area, with this partnership the community is still permitted to manage the forest area but with recommendations that have been determined by the government, the government has also prepared plants to be planted by the community, and the efforts of the government to prevent intruders every month the government conducts data collection on every community in this way the government knows the extent of the land cultivated by the community, what trees they plant and can find out if there are intruders entering the area.

In addition to establishing cooperation agreements the government also made other efforts not to add to the occupants of the area, Government collected data from cultivators of tree species, land area, from kk, and so on we all data so that we know since when they were friends, with this data collection we know whether there is an increase or not if indeed there we will act decisively immediately expel the society.

According to Ripley and Franklin in his book *Policy Implementation and Bercaucracy* states that to assess the success of a program can be assessed from three aspects, namely compliance, smooth functioning routine and expected performance and impact. Implementation of a policy or program can be said to be effective if the established procedures are obeyed accordingly. But if there is a violation or does not comply with what has been set, the implementation of the policy or program can be said to be ineffective. (Ripley and Franklin, 1986: 232)

Planning is an important part of the implementation of a program, planning includes the steps of the activities carried out, the need for activities, parties that carry out activities, time, location and how the activities will be carried out. According to Stoner planning includes four basic steps, namely: Setting goals or set of goals; define the current

situation, namely menganalisa the current situation to make further plans; identification of supporting factors and obstacles to achieving goals, both internal and external; develop a plan for or device of action to achieve the goal. (Stoner, 1996: 112)

The community also makes efforts to improve the land so that they can restore the area by creating farmer groups where each farmer group has an important role to play in returning the area. manypeople are aware of the destruction of the nature that they have done so they make the farmer groups restore the forest but they are still allowed to work in the area. they make farmers' groups no longer have conflicts between the community and the government so that if there is a problem it can be resolved through deliberations between farmer groups.

The Forestry Government itself has divided each manager or household to get 2 hectares of land to be managed with the requirement that the trees planted must have large stems in accordance with the regulations set by the government. Because there are still many people who plant crops that have small stems, for example coffee and cocoa, the government allows but must continue to plant large trees so they cannot all be coffee.

Community participation in the Partnership Program and management of forest areas in Tahura WAR is better known as the Collaborative Forest Management (CBFM). Until now, forest management farmer groups have been formed, and some have joined a joint Forest Farmers' Group (Gapoktan). Through CBFM forest rehabilitation is carried out with the community, even some farmer groups have carried out self-rehabilitation both with forestry plants such as plants that have large trees such as durian, clove, cempaka, medang, mahogany and several types of MPTS plants such as candlenut, manga, avocado, petai , sugar palm and so on.

The government also conducted a Block Management grouping in which the Grouping Blocks were formed to fix forest areas and could develop more pristine areas, from which the government divided the Management Blocks, namely: Utilization Blocks, Protection Blocks, Collection Blocks, Traditional Blocks, Rehabilitation Blocks, and Special Block.

Table 1. Distribution of Blocks in the Tahura Region Wan Abdul Rachman

| Block Management Name | Large | % |
|---------------------------------------|----------------|------------|
| Block Protection | 4,644.92 | 20.88 |
| Utilization Block | 1,137.32 | 5.11 |
| Other Blocks | | |
| - Blocks of Plant / Animal Collection | 2,120.10 | 9.53 |
| - Traditional Blocks | 13,799.37 | 62.03 |
| - Rehabilitation Block | 525.98 | 2.42 |
| - Special Block | 4.42 | 0.02 |
| Total | 2245.50 | 100 |

Source: Information on Tahura Management Block Wan Abdul Rachman, 2017

Table 1 showed that Block management of Tahura WAR covers all aspects. From the grouping in the distribution of blocks adapted to the situation and with the existence of the Management Block it is easier for the Government to carry out

the Management and Supervision of the Tahura Region. The theory used in this problem is Welfare Theory. Social Welfare Theory is a condition of fulfilling the material, spiritual, and social needs of citizens to be able to live properly and be able to develop themselves, so that they can carry out their social functions.

IV. CONCLUSION

The paper concluded and highlighted some important things, especially concerning to certain points as follows:

1. Causes of the Conflict of Transition of the Function of Protected Forests into Conservation Forests in Tahura Wan Abdul Rachman:
 - a. In 1960 Perhutani gave permission to the community to open land in a large-scale area. The main cause of Perhutani was to open up areas for the community because at that time the economic crisis occurred with Perhutani hoping to prosper the community and restore the economy of the community.
 - b. In 1975, Perhutani revoked the permit to manage the forest area, the cause of which the permit was revoked because the community was no longer fit in working on the land, many illegal logging had occurred, the area was opened so that the damage was getting bigger and many people were huts house in the area.
 - c. In 1992 Perhutani issued a Decree of the Minister of Forestry Number 742 / KTPS-VI / 1992 Establishing the forest area of Register 19 Gunung Betung to become a Conservation Forest which was named the Great Forest Park Wan Abdul Rachman. And renewed in 1993 in the Decree of the Minister of Forestry Number 408 / KPTS-II / 1993. When the transfer of functions arose, the conflict caused by the Society refused with the transfer of functions because it was deemed detrimental to the community of management and Perhutani, which continued to carry out the activities that had been determined by the regulation. conflict is increasingly sustainable due to differences in interests between the community and Perhutani.
 - d. The Social Conflict Theory put forward by Karl Marx states that the theory of social conflict views between social elements as having different interests and views. Differences in interests and views that trigger social conflicts that lead to defeat each other, eliminate, annihilate among other elements. Conflict is a social phenomenon and that is a reality for every society. And it is a social symptom that will be present in social life, so that conflict is inherent which means that conflict will always exist in every space and time, anywhere and anytime. The key to understanding Marx is his idea of social conflict. Conflict social is a conflict between segments of society to seize valuable assets.
2. Efforts from the Government and the Community to overcome the Transition Conflict Function.
 - a. In 2018 Perhutani and the management community formed a partnership called partnership, this

collaboration was held so that Perhutani could restore forest areas and the community would still be allowed to work in the area, Perhutani provided provisions for plants that were planted in the form of plants that had large stems such as Durian, Jengkol, Petai, and plants with large stems. If the community has already planted trees with small stems such as coffee, it is mandatory to replace half with large trees.

- b. Perhutani and the Village Government every month to collect data on the community by conducting this data collection, it is hoped that no new community will enter the area and the government will know the types of plants and the area of cultivation of the community.
- c. The main purpose of Perhutani open forest areas to improve the community's economy with that all activities must be in accordance with the theory of welfare that is the condition of the fulfillment of material needs, spiritual, social and citizens in order to live ev k and able to develop themselves, so as to Melak sanakan social function, and p enyelenggaraan k esejahteraan s osial is an effort directed, integrated, and sustained by the government, local government, and the community in the form of social services in order to meet the basic needs of every citizen, which includes social rehabilitation, guarantee an social, social empowerment, and social protection .
- d. Community Managers start planting trees that have large stems, the community also makes a farmer group where the function of this group is to facilitate coordination of their arable land. The community participates in the collaboration to restore forest areas without violating the rules set by the government, and with this collaboration the community can still work in the area without harming Perhutani .
- e. To make it easier to make improvements in the forest area, Perhutani blinded management blocks, which consisted of Utilization Blocks, Protection Blocks, Collection Blocks, Traditional Blocks, Rehabilitation Blocks, and Special Blocks. By dividing the block , the Forestry government can fix damaged areas.

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