



Restoring the Land Grab in the Gulf Coast of Kupang Regency: Authority, Decentralization, And Local Resistances

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Abstract. Earlier studies have shown that the central and local government have been often used to support companies in taking over community land and has been used it for many years for investments. Sometimes the locals have been evicted from their land, as occurred in the gulf of Kupang regency by 1992 during the New Order regime; however, in this case it has recently been restored in decentralization era. This article aims to analyze how the land grab of 3.720 ha could be restored to the local community. Data has been collected through in-depth interviews, observation, and secondary data. Findings show that there is a conflict of authority between central of Indonesia and local government of Kupang regency. The powerful local government of Kupang regency has been supported by traditional institutions and the peasant community, successfully retrieved the land from a national investor, “forcing” the central government to put aside the national salt industrial agenda and accept the land as an example of land reform.

Keywords: authority, decentralization, institution, Kupang, land, local government

1 Introduction

Land grabbing has occurred in many places in Indonesia, taking place since 1965 (Hauser-Schäublin, 2013: p. 7), based on authoritarian and military rules, as occurred in Kupang regency in 1990. However, since the fall of the New Order regime in 1998, the state has decided to adopt democratic and decentralization system, in order to share power with the local government (Grobmann, 2019). It has given authority and power to the local government of Kupang regency, to arrange its land or agrarian affairs. This has enabled the local government of Kupang regency to claim and take back the land against the previously dominating central government and corporate investment plans. As a result, conflicts of authority between central and local government, land disputes and investment failures have been inevitable.

There have been extensive discussions concerning what land grab is and who gets involved in it (Hall, 2015). Henriques (2012) has pointed out that land grabbing involves powerful investors taking large tracts of land through lease, concession, or

purchase. The International Land Coalition report has recorded large land grabs in African countries since 2000 (cited in Kaag and Zoomers, 2014: p. 3), and in several eastern European countries (Constantin et al., 2017; Gonda, 2019). While in Asia, there has also been a significant rise of land grabbing mostly in the Southeast Asian countries (the Pesticide Action Network Asia and the Pacific, 2013), particularly in Cambodia (Hak et al., 2018; Noren-Nilsson & Bourdier, 2019; Diepart et al., 2019), and in several large plantations in Indonesia including Papua (Andrianto et al., 2019), and Kalimantan (Semedi & Bakker, 2014).

Other studies have shown that there is growing resistance to land grabbing by the affected communities (Kenny-Lazar, 2018), there has been resistance by farmers against the state and corporation in Senegal (Koopman, 2012) and by the peasant movement of the Aguan community in Honduras (Kerssen, 2013, p. 91; Edelman & Leon, 2013). The traditional communities have also shown their discontent towards the practice like the Ethiopian Gumuz ethnic groups against the state (Moreda, 2017), and Kenyan farmer and traditional tribe communities against state and corporation (Kariuki & Ng'etich, 2016), as well as the Nguti community in Southwest Cameroon against Large-Scale Land Acquisition by a U.S. based company (Ndi, 2017). Meanwhile, in the Cambodian community the resistance has taken place against land exclusion through land regulation on behalf of national and economic development (Hak et al., 2018).

In Indonesia, the central government encourages the local government to attract business investment in various productive sectors, including in the Salty investment to satisfy the growing domestic demand and for food resilience. The domestic demand of salt has been approximately 3.5 million tons in 2019, while the domestic supply only covered 2.5 million tons in the same year (Kementerian Perindustrian Republik Indonesia, 2019b). Meanwhile, in East Nusa Tenggara province, the prospective land for the salt industry is estimated around 60.000 ha, and Kupang regency has potentially 7.700 ha of salty area in the north of the coastal zone of the regency (Kementerian Perindustrian Republik Indonesia, 2019a).

However, one of the main problems is the land issue (McCarthy et al., 2012, p. 523; Jakarta Post, 2019), as occurred in the northern coastal zones of Kupang regency (Lewokeda, 2019), which related to the land grabbing of 1990 under the authoritarian regime of Suharto. The regime planned to develop the land around the coastal zones. The HGU (Hak Guna Usaha or the Land Cultivation Rights), number 06/1992, was issued to an investor, called PT. PGGS (Panggun Guna Ganda Semesta), to develop 3.720 ha (Report of A+ CSR Indonesia, 2018) in the regency. However, the process of land clearance involved the security institution taking the land, without paying fair compensation.

After the fall of the authoritarian regime in 1998, the local people and local government began to demand the return of their land which had become part of the clearing process in 1990 but abandonment by the company in 2019. According to the government, the process of land clearance in 1990 was illegal and violated human rights, therefore the land had to be taken and distributed back to the community through the land reform program. The views of government of Kupang regency were not in line with the views of the central government and the corporation's portfolio. This leads to conflict between groups of local communities from 2017 to 2019, particularly in Babau

village. This raises a key question: how did the local government of Kupang regency manage to override the plans of a prospective investor.

The objective of this research has to analyze how the local government used its authority in decentralization era, in collaboration with the local entities, to restore the land grab from investor, PT. PGGS which later acquisitioned by PT. PKGD, in Kupang regency. This study focuses on the struggle of the local government against the central government in terms of authority, on the other hand, the rise of local community and cultural institution resistance against PT. PKGD over the issue of land ownership. In supporting the main argument, this article presents two analyses. First, it analyzes how the local government used its authority to balance the central government view on the HGU and investment and persuade the central government to revoke the land for the local community, at the same time, rejecting the corporation portfolio. Second, this article analyzes the conflict between the corporation with the local community and cultural institution which has been supported by the local government, switching the legal and political issues into social and cultural issues.

2 Analytical Framework

In the Indonesian context, there have been many cases of land confiscation in the name of national and public interests, including wiping out traditional and communal lands (Steinebach, 2013, p. 68). Consequently, business elite's interests the interests of small oligarchical groups dominated the conversation (Bakker & Reerink, 2015, p. 85; Lagerqvist & Connell, 2018, p. 307). The local authority was often involved in security institutions as a business "protector" (Dick & Mulholland, 2013, p. 67; Diprose et al., 2019).

After the New Order regime collapsed in 1998, the reformation period took place with processes of democratic rules (Tyson, 2010; Choi, 2011), including the establishment of a decentralization system and power sharing between the central and the local government (McCarthy, 2013, p. 100). The main purpose of decentralization is democratization through the transfer of authority and responsibility, giving the local government more space for resource control (Peluso, 2007), economic development improvement, public service delivery, accountability, as well as participation of local people (Ahmad & Talib, 2011), in preventing separatism (Crow, 2014), abolishing the New Order authoritarian regime and its domination (Samadhi & Tornquist, 2015). This then could be achieved through decision-making at local government level in order to respond to what in Tiebout's view (cited in Hidayat: 2017) are local demands. It means that the transfer of both financial and administrative becomes the main aim of a self-managed local government. In addition, the core role of the government is to facilitate investment through policies and administrative initiatives without social conflicts (Borras et al., 2012).

In the Indonesian case, the authority of local government is limited in the decentralization context due to central government's interpretation of nation building (Yusran & Asrinaldi, 2005), using political stability and national integration as the reasons to hold onto power as described by Smith (cited in Mukrimin, 2018). Consequently, the limitation of decentralization is based on the anxiety of central government on the issues of disintegration and separatism if power and authority are fully given to the local government (Beitinger-Lee, 2009, p. 37). Misconceptions have

occurred due to rapid administrative and political decentralization (Choi, 2011), resulting in the first decade of decentralization being full of paradoxes (Lay, 2012), and the search for a proper pattern of decentralization continues (Sutiyo & Maharjan, 2017).

In Indonesia, these types of decentralization are often debatable and vague in practice (Sutiyo & Maharjan, 2017) which is seen as a source of conflict of power relations within dynamics of the decentralization implementation processes (Hadiz, 2004; Bunte & Ufen, 2009, p. 18). As explained in Bennet (2010, p. 3) the levels of government in Indonesia consist of central government, provincial government, and local or district government. Within the district government, the levels of government have been divided into two, municipalities or cities and districts or regencies.

Held (cited in Yusran & Asrinaldi, 2005) has argued that authority in the contemporary state is based on Max Weber's view, legal rational-authority, implementation of and commitment towards the agreed legal rules. In order to realize the authority system, Weber has presented few essential points showing that legal authority has to have rules in certain sectors where the rights of controls and compliances have been well-established (Warkhid, 2011). In the context of decentralization, the authority of central government is transferred to lower levels of government or agency (Hidayat, 2017).

Based on Indonesia regulation, the main power of control of land affairs is actually in the hands of the central government as the representative of the state. The 1945 Indonesian Constitution in Paragraph 3 Section 3 and the Basic Agrarian Law No. 5/1960, state that the function of the state is to manage and use the land for public interests (Ilyas et al., 2015). To achieve the objective, the government has established the NLA (National Land Authority) under the law Presidential Decree No.20/2015 in order to respond to the complexity of land affairs, including issuing permits for investment of over 1.000 ha of land. According to Bagir Manan (cited in Herry, 2014), the state has full authority to regulate and control the land through central government, however, the local government may be involved after being delegated with limited authority.

The NLA was also established at provincial, regency, and municipality levels for land management and land disputes (Ilyas et al., 2015). One of the authorities of the NLA at provincial level concerning the use of land for industry is to manage and issue permits for 400 ha of land. At the same time the authorities at the regency and municipality level are to issue only the EIA (Environmental Impact Assessment) permits as arranged within the Government Regulation No.24/2018. Furthermore, the regency has authority to manage and make claims over communal land, including identifying and using any abandoned land, and proposing the abandoned land to be subjected to the land reform program.

This type of authority distribution has provoked criticism. According to Prud'homme and Tanzi (cited in Alfada, 2019), the weakness of this bureaucratized and decentralized systems has been to divide the position of local government and create different authorities and conflicts of interest, instead of concentrating the authority in hands of a certain local government based on the project location. Actually, this bureaucratic and administrative system of decentralization may often be the cause of conflict with authorities. Besides that, the NLA can issue an LSLA permit, one of the types as known as the HGU (Hak Guna Usaha). However, it has been reported that the HGU has created problems, particularly in the process of land clearances. Often,

the land clearance of the issued HGU covers local or indigenous land, resulting in the expulsion of owners or local people from their lands (Borras et al., 2012; Kerksen, 2013, p. 2).

Having stated the above, this perspective of limited authority has its critics. Sutiyo & Maharjan (2017, 32) have claimed that Indonesian scholars have suggested that the central government should have not intervened in local government affairs during the decentralization era. Others have argued that the central government should have transferred more authority to the local government because of its familiarity with land issues (Ilyas et al., 2015).

Furthermore, Herry (2014) believes that if the local government's authority concerning the land management is limited, then good public services may not be smoothly achieved. It means that the land disputes in Indonesia are strongly related to the issues of authority, procedure, and substance of regulation and policy of land management. Finally, Amiludin (2018) has been critical because decentralization has not resolved the land disputes due to overlapping regulations and other overwhelming land problems of the New Order regime. The conflicts of authority are also caused due to power relations between the governments as happened in many cases in Indonesia (Bunte & Ufen, 2009).

3 Methods

This study was conducted from March 2018 to December 2018, using the qualitative approach, based on observation, interviews, and FPIC (Free, Prior, Informed, and Consent). The main analysis has been in the village of Babau as the center of struggle and represented the largest size of the land for the industry, 2.700 ha of productive land within the HGU, although there have been little dynamics in other villages. The structured interviews have been conducted specifically with five key informants, and twenty additional informants who represent the pro-investment and anti-company groups, and an anti-mining group. At the government level, interviews have been held with local officials of Babau village, local figures who have been involved in all processes of land grab since 1990. Meanwhile, at the government level, information has been gathered from regent and top related departments as well as from the provincial government of Nusa Tenggara Timur and District of Kupang as the representative of the National Land Agency.

Besides that, information was collected from the Free Prior Informed Consent (FPIC) for two days to provide an insight into different perspectives, held by an independent consulting institution, called A+ CSR Indonesia. The FPIC was facilitated by the head of Babau's village. The FPIC were conducted to gather general information about the historical process of land clearance in 1990, local people's activities on the occupied land, the traditional community's concerns, looking for a common sense between the company and the peasants as the land occupiers, and finding agreement or solutions for mutual benefit before the salt production industry began. On the other hand, the anti-company group was interviewed separately because of security reasons.

Besides having data from the field research, the supporting data was gathered through secondary source. The case of land grabbing of the coastal zone of Kupang and historical land occupation have been quite inadequately documented in books, article

journals and report papers. The most reported and documented sources have been in daily newspapers. Therefore, several newspapers have become practical choices to gather information. Besides that, some collected data has been gathered from a particular research institution, called A+ CSR Indonesia, which held the FPIC processes.

4 Results and Discussions

It is commonly known that the territory of Babau village has been occupied by the Rotinese community and mainly used for four livelihood activities, agricultural production as the main activity, several dam plots of shrimp, and livestock. Besides that, the majority of peasants who work in the agricultural sector in wet rice fields, have traditionally also used the coastal pond to produce salt when the dry season has arrived (Report of A+ CSR Indonesia, 2018). In 1990, the then regent of Kupang, Paul Lawa Rihi, a former high-ranking military official visited the Harak, (a local term for the vast area of salty productive land), in Babau village. The former regent asked all the farmers of salt and rice fields to stop producing the salt and wet rice. According to a local prominent figure of Babau village, the former regent had stopped them, delivering a message that the whole salt and agricultural areas, across four villages, would be taken by the central government for a salt industrial development. The local peasantry had no choice, so complied.

In the same year, the transformation of land titles had started. According to witnesses and local peasants, the process did not take long because, in fact, the military members had been involved in the land clearance processes, so the majority of them felt threatened. At this stage, Hall et al. (2015) have argued that this pattern of land grabbing has been considered opportunistic and predatorial in behavior because it involves government, corporation, and a security institution.

According to a local peasant in Babau village, the affected peasants had been gathering in the different churches of each sub-village or called the Dusun for socialization, without opportunities for dialogue or bargaining. They had been given some money for the land compensation, then sent home. The average payment was 50.000 to 75.000 Indonesian Rupiah of one hectare. They felt that they were deceived due to unjust compensation, however they could not express their complaints. Furthermore, there were small percentages of the peasants who had not received the land compensation, but they had also been asked to leave their land (Report of A+ CSR Indonesia, 2018).

After the land compensation had taken place, the central government had issued the HGU (Rights of Used) license to the PT. PGGS (PT. Panggung Guna Ganda Semesta), Number 06/1992 and validated until September 2018, with a possible license extension, to use 3.720 ha across 5 villages in East Kupang sub-district. According to Report of A+ CSR Indonesia (2018) the 3.720 ha has consisted of 300 ha in Merdeka village, 2.600 ha in Babau village, 320 ha in Nunkurus village, and 500 ha in Oebelo village.

However, the corporation has not invested or used the land since the license has been issued. The land has been abandoned without any clear reasons. To some extent, there is not sufficient evidence to claim that there were other reasons behind the abandonment of the land.

The dynamics of conflict occurred in Babau village over the largest area of the HGU. The area of Babau village is divided into two sub-villages, namely Dusun Airbauk and Dusun Dalam Com, where 2.600 ha of the HGU's land is located. According to the HGU Number 06/1992 license, the 2.600 ha have been divided into three parts. The first part is approximately 1.000 ha, called Harak I. It has been used for the traditional salt industry in some small by few peasants. The second part of land is 1.200 ha, called Harak II. The third part is 400 ha, has been used for housing, agricultural, and livestock activities. All parts of land have also been abandoned by the PT. PGGS (Report of Indonesia, 2018).

In 2017, one year prior to the end of the license, the license of PT. PGGS was acquiesced by PT. PKGD (Puncak Keemasan Garam Dunia), another corporation interested to continue the license and develop the salt industry, however, it has found that the investment was cancelled due to a land access issue and local government disagreement.

In the context of salt production in Babau village, the NLA has prepared for a possible extension of the HGU contract since its expiry date of May 2019 if there is any project development plan prior to the expiry of the license. It means that any development of the salt investment industry of PT. PKGD in Babau village has been considered as the commitment of the company. The Ministry of Maritime Affairs, the National Land Agency, the provincial government, and the Land Agency at provincial level support the investment. The Ministry of Maritime Affairs and the NLA have regular meetings and site visits (Report of A+ CSR Indonesia, 2018). The 2013-2018 governor of the province and the provincial land agency have paid particular attention to the investment plan, and assisted in administrative matters in order to realize the 1.8 Billion Rupiah of salty investment plan.

However, the relationship with the regency government has not gone smoothly. The local government has strongly opposed the presence of the corporation because of certain considerations. First, PT. PGGS and PT. PKGD has not been seriously investing in salt production. In fact, the company has abandoned the land for 25 years. Second, the local government has believed that PT. PGGS had been replaced by PT. PKGD. The consideration is based on the managers of the PT. PKGD, as some had previously worked in the PT. PGGS. Third, the land has been abandoned for 25 years, therefore it has not benefited the local community.

The TORA (Tanah Obyek Reforma Agraria) program, which is as part of the agrarian reform program, is based on the Presidential Decree Number 86/2018. According to the Decree, there are two criteria which have not been met, HGU's land was abandoned and HGU's lease was not extended by the government after the expiry of the license (Resosudarmo et al., 2019).

The different views between the regency over the central and provincial governments is not related to any sharing between legal and political authorities only, but it has expanded to become an administrative issue. Based on the Indonesian decentralization system, the local government of Kupang has the authority to issue the AMDAL or Environmental Impact Assessments Analysis license based on the Law No. 32/2009 Concerning the Environmental Protection and Management chapter 29 and the Law No. 23/2014 chapter 262. Under the two laws, the regency is given full authority to issue the AMDAL permit after reviewing all relevant documents, without it any industrial activities cannot proceed. In some cases, the role to issue the AMDAL license

has become a “weapon” for any local government to bargain with or impede the investment development, in fact, it has become a source of corruption (Arkham-Lodhi, 2015).

In the case of PT. PKGD, the local government of Kupang has absolute authority to issue the AMDAL license administratively through the department of environment and forestry of the regency, as arranged in the law Number 32/2009 and 23/2014. However, the obstacle to obtain the license is strongly associated with the interests of the government politically, reflecting the power relationships between the local government and the company.

4.1 From Conflicts of Institutional Authority to Grassroot Conflicts

The conflicts with institutional authority have affected the local communities, particularly the peasant as the occupiers of HGU's land, due to unclear decisions from government about the salt industrial development. The local government and the company have moved to search for support and consolidation.

In order to realize its plan to control local land, including the HGU, the local government has established a traditional institution in 2015, a Timorese ethnic-cultural base institution, for various reasons, including restoring the communal land. Later, the local government introduced the institution as one of the local stakeholders that has to obtain some share of any salt business. According to the local government's business formula, any salt company has to offer 10 per cent from its additional revenue, out of CSR programs, to support local social and economic development. In the agreement, the 10 per cent has been divided into parts, 1.5 per cent for traditional institution, 1.5 per cent for the church, 1.5 per cent for additional revenue of local government of Kupang, and 5.5 per cent for the owners of communal land (Keizalin News, 2019). This additional business formula has been followed in dealing with PT. Garam Indonesia, a state-owned enterprise, which has been working in, Bipolo village, the neighboring village of the HGU of PT. PKGD.

This response of the local government has reinforced the position of the traditional institution as one of the essential stakeholders of the land that has to be considered by any company. However, this business formula has been used as an additional bargaining power tool for the regent over any company. Any rejection of the option may lead to a business being obstructed or delayed.

According to one of the leaders of Rotinese clan in Nunkurus village, the traditional institution's share and the communal land issues have raised the spirit of the majority of the people to claim their rights over the HGU land, particularly in other villages. This is believed to be a strategy of the local government to garner the support of the local people. Consequently, it has gained overwhelming support from majority of people in the four villages. Moreover, the anti-company group has made maneuvers by using their close cultural ties and social networks with the regent as well as building their relationship with Timorese and few Rotinese communities in other villages such as Oebelo, Nunkurus, and Merdeka. According to the local authority and prominent figures of Babau village, as a result of social networks and ethnic ties, the local peasants from the 5 villages within the HGU area established the People's Alliance of Kupang Regency in September 2018. Through the alliance, the local communities have voiced

their rejection through press releases, seminars, and sending letters to the central government, as well as blockades of the activities of PT. PKGD in Babau village.

Moreover, by having local government support, the anti-company group has slowly taken control of several parts of the eastern part of the Harak II within Babau village, including some part of the HGU area in Nunkurus and Merdeka villages. They also held blockades throughout the month of June 2018 to stop the development of the social and economic infrastructures, impeding the implementation of the salt development plan of the company. The blockade also related to the plan of the local government to please the new potential companies to develop the salt industry within the HGU area, particularly in the productive area of the two Haraks. The local government intends to divide the Harak area into pieces of land of a minimum of 400 ha. By doing that, the local government has more authority to issue all types of permits as arranged in the law number 23/2014. However, the blockade was forcibly demolished by the pro-investment group in September 2018 after all dialogue between the two parties had failed.

On the other side, PT. PKGD and a pro-investment group have consolidated their positions. According to the PT. PKGD top manager, the company was not willing to accept sharing a part of the revenue with the traditional institution. The company has preferred to implement the Corporate Social Responsibility programs due on a clear legal basis. Therefore, the option of sharing revenue has been rejected. As a consequence, the relationship between the company and the local government has been critical.

4.2 The Corporation Approaches on Local Government and Communities

As a form of commitment, the representatives of the pro-investment group have established a small task force, composed of important local figures, to mobilize support largely for the company. They succeeded to gather support from 980 heads of peasant families of Dalam Com and Airbauk sub-villages. This is not only as support basis, but also as an initial step of cooperative establishment in order to manage CSR program funds during its business life. Besides that, the corporation had agreed to fulfill the local agricultural demand to continue occupying over 400 ha of the HGU land and prioritizing the local labors within the industry.

In August 2018, PT. PKGD met the National Land Agency, looking for support to force the local government because a new regent had been elected two months earlier. This was seen as a new opportunity for the company to approach the central government to change the local government view. Generally, the new regent has welcomed any company to invest in the salt industry in the regency, while rejecting to issue the environmental analysis permit to the company. It was believed that the new regent was not brave enough to change the previous regent's policy because of the cultural and political power of the previous regent.

Meanwhile, the new governor has different views from his predecessor. If the previous governor used to be friendly towards PT. PKGD, on the other hand, the new governor has been more resolute and immediately identified investment obstacles, particularly the commitment of any company. This step was seen as a proof of the provincial government's commitment to the local people and communal land recognition in the five villages within the HGU area. According to the new governor,

provincial government would recommend to the central government to withdraw the license of the PT. PKGD due to the issue of poor commitment.

In September 2018, the National Directorate General of the National Land Agency visited the areas of the HGU. In that visit, the Directorate General declared clearly that the land ruled as part of HGU's was still in force, in fact, a similar statement was conveyed by the provincial land agency. However, there were no further actions by the representative of the National Land Agency. Moreover, on the same day, PT. PKGD formalized a cooperation agreement with 980 heads of peasant families, represented by 14 prominent representatives, witnessed by the Directorate General of the National Land Agency. According to the representative and top manager of the company, the agreement was a form of social license to operate for PT. PKGD. Therefore, the company was motivated to begin social and economic infrastructure priorities started by December 2018, constructing a road of 3 km, connecting the main public road with the agricultural area, the Harak I and Harak II as the main salt production areas. The road was also completed with an irrigation system to assist the agricultural activities.

Although the amount of pro-investment support has grown, they are not powerful enough to make any movement against the government of Kupang regency. The only way to obtain assistance is to get the central and provincial governments' attentions. Therefore, in April 2019, the pro-company group met the chief of the Provincial Land Agency for clarification of HGU's land status. They had been worried because the anti-company community and the regency government continuously moved forward to approach the central government to withdraw the HGU and realized the distribution of land was connected to a communal land claim. As a result, the pro-investment approaches were unsuccessful, mainly due to the expiry of the HGU.

4.3 Land Reform Program: the TORA and the Commitment of Central Government

The issues around land struggle had attracted the attention of the central government. Having analyzed the lack of progress and the abandonment of the land, the National Land Agency revoked HGU's license on May 27, 2019 (Kupang Media, 2019). The land claims were brought within the TORA program as part of the 2015-2019 central government's land reform policy and development which had centered on the redistribution of land. This program had been formulated for landless peasants who had been living within the HGU area (Salim & Utari, 2018, p. 79).

In order to be considered as the object of TORA, there are three criteria to be fulfilled: the expiry of the HGU, the abandonment of the HGU's land, and the land which has been used for other productive activities (Cabinet Secretary of Republic of Indonesia, 2018). It means that the expiry of HGU is a result of the TORA program (Salim & Utami, 2019, p. 173)

The strategy and expectation of the local governments were met with the license expiry in May 2019. Therefore, the land was recalled by the government to be redistributed to the local community. On August 2019, the President Republic of Indonesia, Joko Widodo visited the regency for land distribution. One of the objects of the land distribution was the former HGU areas (Presidenri, 2019). The former HGU area, was divided into two areas by the central the government: the 2.230 ha of the two

Haraks are still used for the salt industry and the 1.490 ha of the five villages has been distributed to the local community.

5 Conclusion

Decentralization has changed the political relationship between the central and local government. It has also given sufficient authority to local government to manage its resources, ensuring land for the local community and securing it from land grabbing that had been occurring in many places of Indonesia, including in Kupang. The case of the salt industry has clearly shown that the authority of local government was used to secure the grabbed land of 3.720 ha in 1990.

The grabbed land has been reclaimed through the combination of three aspects, such as the institutional authority administratively and politically, land abandonment issues, community resistance due to undemocratic land clearance. It has to be admitted that authority and local leadership of the regent have played essential roles as the main resources to keep the resistance towards land grabbing in the decentralization era. As a result, the HGU license expired the land was taken to be distributed back to the local people, who had been forced to relinquish it in 1990.

The land dispute over the HGU has been revoked by the central government in 2019, and the land has been distributed through the TORA program; however, it has not resolved yet the social conflicts between the peasant's groups that have been occurred during the land struggle processes.

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