

A Human Rights Approach to Examine Indonesia's Social Forestry Policies

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Abstract

This research evaluates social forestry policies in Indonesia through the lens of human rights, focusing on the experiences of forest farmers within local communities. While social forestry is intended to empower marginalized groups, promote forest conservation, and ensure equitable access to resources, its implementation exposes systemic barriers that undermine the human rights of local communities. Such issues restrict the right of affected marginalised communities such as indigenous peoples and women. This exclusion perpetuates socio-economic inequalities and undermines their fundamental rights to fair participation and equitable resource distribution. Based on this observation, the study highlights significant gaps in policy implementation. By drawing comparisons with community-based forest management models in other countries, the study underscores the importance of collaborative governance and equitable benefit-sharing mechanisms. The findings emphasize the need for a rights-based, integrated approach to social forestry that prioritizes transparency, inclusivity, and the empowerment of marginalized groups. Aligning local implementation with global human rights and conservation goals is essential for achieving equitable, sustainable, and socially just outcomes in Indonesia's social forestry initiatives.

Keywords: *Human Rights, Social Forestry, Indonesia, Marginalised Communities, Indigenous People*

I. INTRODUCTION

Social forestry is a policy that aims to give forest management rights to communities around forests in order to more equal well-being. This policy is aimed not only at reducing poverty but also at improving the conditions of degraded forests. Since its first introduction, social forestry has gone through various phases of policy aimed at strengthening the role of communities in the management of forest resources. Nonetheless, in its implementation,

social forestry policies often face complex challenges, ranging from policy fragmentation, conflicts of interest between authorities and society, to overwhelming bureaucracy.^{1,2} The demand for access to land rights including the forest has increased since the fall of New Order regime in 1998, accompanied by legal reforms which give recognition for marginalised community including indigenous people and forest farmers to manage the forest.³

This first policy on forest community based management was promulgated in 1995 by the Ministry of Forestry through the Decree No. 622/Kpts-II/1995 on Community Forest Guidelines. Since then, some other regulations were enacted by the Government such as the Law No. 41 of 1999 on Forestry, which provided a legal basis for social forestry, the Minister of Forestry and Environment Regulation No. P62/MENLHK/2019 on the Development of Forest Industrial Plantations to optimize forest land, the Government Decree No. 44/2004 on the Forestry Planning intended to meet the objectives of the social forestry management, the Regulation of Forestry Minister No. 88/MENHUT-II/2014 on Community Forest, and the Forestry Ministerial Decree No. 9/2021 on the Social Forestry Management. The main objective of these policies is principally to give more rights for local community living in or near the forest to manage forest to meet their basic needs through cooperative institutions.

The most significant regulation on the social forestry management that guarantees local community near or live in the forest to get benefit from social forestry is the Forestry Minister Regulation Forestry No. 88/MENHUT-II/2014. Article 4 of the Forestry Minister Regulation asserts that the forestry planning must consider national, society, and socio-cultural interests as well as traditional wisdom. The emphasis on society and traditional wisdom indicates that the Central Government has an understanding that local communities and natural resources in some forested areas are closely related and must be managed to ensure the sustainability of the forest.⁴ Therefore, the policy has been revitalized through various government regulations and ministerial decisions aimed at improving the management and use of the forest by local community.⁵ Despite the promising initiatives like agroforestry and community based social forestry management, these efforts remain fragmented which requires stronger mechanisms and community engagement for broader impact.^{6,7}

1 Sataporn Roengtam & Agustiyara Agustiyara, "Collaborative governance for forest land use policy implementation and development" (2022) 8:1 Cogent Soc Sci.

2 *Ibid.*

3 Willem van der Muur, "Forest conflicts and the informal nature of realizing indigenous land rights in Indonesia" (2018) 22:2 Citizsh Stud at 161.

4 Workaferahu Ameneshewa et al, "Indigenous knowledge and forest management practices among Shekachoo people in the Sheka Biosphere Reserve A case of Shato core area, South-west Ethiopia" (2023) 9:3 Cogent Soc Sci at 3.

5 Ramli Ramadhan & Risna Noviati Amalia, "Analisis Narasi / Diskursus Terhadap Kebijakan Perhutanan Sosial Di Wilayah Kerja Perhutani" (2021) 16:1 Wahana For J Kehutan 1-13.

6 Wahyu Andayani, "Luas Optimal Kawasan Hutan dari Fungsi Ekonomi Hutan Serbaguna" (2022) 16:1 J Ilmu Kehutan 1-8.

Until now, the implementation of this policy on the ground still faces challenges because the implementation of community-based social forestry cannot generate significant economic benefits for community near or live in the forest and fail to reduce deforestation across the country. Until 2017, Indonesia is one of the countries which has the highest forest loss due to the large scale of industrial farming, plumbing, and plantation which has direct and indirect effects on local communities including indigenous people.⁸ With scant of previous research on the impacts of social forestry policy on the rights of local communities, this article aims to examine social forestry policies from a forest farmer's perspective as well as to compare them with forestry management practices at the global level. The research focuses on the analysis of social forestry policies from the perspective of forest farmers in the Pati district, as well as how these policies are implemented and whatever challenges they face. Thus, it is expected to provide a deeper insight into the effectiveness of social forestry policies in Indonesia as well as recommendations for future improvements.

In general, scientific discussion on social forestry problems was discussed by some scholars. Ari Rakatama discussed about the placement of social forestry papers, as determined by this evaluation, highlights numerous crucial areas for application and research. Current studies mostly concentrate on social and economic viewpoints, with little emphasis on environmental factors, and more comparative study is required, particularly in underrepresented places such as Papua. Many studies lack extensive information, such as particular designs and localities, limiting comparability and clarity about potential and problems. The disparities in success between schemes and areas highlight the importance of consistent data and detailed analysis, as opportunities in one setting may appear as obstacles in another. Policy proposals prioritize tackling social and environmental concerns, such as inequities and biodiversity loss, while also capitalizing on economic and institutional potential through community capacity building and stronger local institutions. Clear regulations and politics was the problems that doesn't analyzed by scholars.⁹ Muhammad Adib also researching about the study identifies significant problems in Indonesia's social forestry policy, particularly stemming from the conflict between the regulator (KLHK) and operator (Perhutani) in managing forest lands on Java Island. Miscommunication and resistance to the paradigm shift from state-based to community-based management under agrarian reform have led to policy disharmony, perpetuating colonial-era practices and sparking local-level conflicts. To address these issues, actionable strategies such as improving dialogue, fostering stakeholder training, and developing inclusive policy mechanisms are proposed to enhance

7 Iswadi Bahardur et al, "Matrilineal Marriage Traditions and Hegemonic Masculinity in Marah Rusli's Siti Nurbaya" (2022) 11:1 HSE Soc Educ Hist 26-51.

8 Antonio Santoro, Francesco Piras & Qingyi Yu, "Spatial analysis of deforestation in Indonesia in the period 1950-2017 and the role of protected areas" (2023) 8:9 Biodivers Conserv, online: <<https://doi.org/10.1007/s10531-023-02679-8>> at 1-3.

9 Ari Rakatama & Ram Pandit, "Reviewing social forestry schemes in Indonesia: Opportunities and challenges" (2020) 111 For Policy Econ.

understanding and cooperation.¹⁰ James Erbaugh describing Indonesian social forestry shifts governance by assigning user groups responsibility for sustainable forest management, revealing tensions between community empowerment, state control, and competing social, economic, and environmental goals.¹¹ Sari Rahayu and friends explaining the new forest extension policy aims to enhance rural development and forest governance by involving NGOs and local initiatives, but success requires flexible collaboration and recognition of community-based practices.¹²

In addition, this article will also discuss global perspectives in forest management, community-based forest management practices (CBFM) in other countries such as Nepal and India.^{13,14} These practices can provide insights for developing more effective social forestry policies in Indonesia.^{15,16} By comparing these global experiences, it is expected to find innovative and effective solutions to address the various challenges faced in the implementation of social forestry policy in Indonesia.

However, despite various efforts to improve this policy, its implementation in the field still faces many obstacles. Political fragmentation, conflicts of interest between authorities and the public, as well as overwhelming bureaucracy are often major obstacles to the implementation of social forestry policies. Therefore, the study focuses on the analysis of social forestry policies from the forest farmers' perspective in the local contexts, as well as how these policies are implemented and what challenges they face. In addition, the study also aims to compare social forestry policies in Indonesia with forestry management practices at the global level. In a global context, social forestry in Indonesia can be compared to various community-based forest management practices (CBFM) implemented in other countries such as Nepal and India.

The research uses a qualitative approach with case studies methods in local context. Data is collected through in-depth interviews, field observations, and analysis of policy documents. Interviews are conducted using guidelines of interviews that have been prepared previously, while observations are carried out to understand field conditions and interactions between

10 Mohammad Adib et al, "The Controversy of Social Forestry Policy: Public Reaction on the Ministry of Environment and Forestry Decree No. 287/2022/KHDPK in Java, Indonesia" (2024) *For Sci Technol*.

11 James T Erbaugh, "Responsibilization and social forestry in Indonesia" (2019) 109 *For Policy Econ*.

12 Sari Rahayu et al, "Bureaucratizing non-government organizations as governmental forest extension services in social forestry policy in Indonesia" (2020) 29:2 *For Trees Livelihoods* 119-129.

13 Markus Lederer & Chris Höhne, "Max Weber in the tropics: How global climate politics facilitates the bureaucratization of forestry in Indonesia" (2021) 15:1 *Regul Gov* 133-151.

14 *Ibid*.

15 Hugh TL Stewart et al, "Growth and profitability of smallholder sengon and teak plantations in the Pati district, Indonesia" (2021) 130 *For Policy Econ*.

16 *Ibid*.

various actors. Document analysis is done to understand the social forestry policy framework and the changes that occur over time.

II. PUBLIC POLICY THEORY AND CONCEPT

Social forestry policies are deeply influenced by political processes and bureaucratic dynamics.¹⁷ Public policy theory emphasizes that policy formulation results from interactions among various actors with differing interests, including policymakers, NGOs, and the public.¹⁸ The role of policy intermediaries or brokers is critical in bridging the gap between policymakers and target communities. However, tensions and conflicts often arise among these actors, especially during the implementation phase. Bureaucratic challenges, such as disputes between forestry landowners and local officials, and policy fragmentation across government levels, further complicate the process.¹⁹ These challenges hinder the realization of social forestry objectives, which aim to empower communities and provide equitable access to forest resources.²⁰

Despite these obstacles, social forestry policies offer significant benefits, such as enhanced public access to forest resources and improved community welfare.²¹ However, the presence of bureaucratic barriers and conflicts of interest creates disorientation and delays in implementation.²² To address these issues, it is essential to understand the interplay of political and bureaucratic dynamics that shape these policies. By addressing policy fragmentation and fostering collaboration among stakeholders, the intended goals of social forestry, including sustainable resource management and community empowerment, can be

17 Lars Tummens, "Public Policy and Behavior Change" (2019) 79:6 *Public Adm Rev* 925-930.

18 Daniel Béland, Michael Howlett & Ishani Mukherjee, "Instrument constituencies and public policy-making: An introduction" (2018) 37:1 *Policy Soc* 1-13.

19 I Made Sara, Komang Adi Kurniawan Saputra & I Wayan Kartika Jaya Utama, "The Effects of Strategic Planning, Human Resource and Asset Management on Economic Productivity: A Case Study in Indonesia" (2021) 8:4 *J Asian Finance Econ Bus* 381-389.

20 Elizabeth L Yuliani et al, "Relational values of forests: Value-conflicts between local communities and external programmes in Sulawesi" (2022) *People Nat*.

21 Khin Htet Htet Pyone et al, "Understanding the transition of community land use from shifting cultivation to cash cropping in southern Tanintharyi, Myanmar" (2024) *People Nat*; Claudia Horn, "Brazil's Amazon Fund: A 'Green Fix' between Offset Pressures and Deforestation Crisis" (2023) 55:6 *Antipode* 1686-1710.

22 Sylvia I Karlsson-Vinkhuyzen, Lars Friberg & Edoardo Saccenti, "Read all about it!? Public accountability, fragmented global climate governance and the media" (2017) 17:8 *Clim Policy* 982-997; Zhe Yu Lee, "Implementation of agrarian reform in North Sumatra, Indonesia: The productiveness of institutional fragmentation" (2022) 40:7 *Environ Plan C Polit Space* 1589-1605; Ahmad Maryudi et al, "Holding social forestry hostage in Indonesia: Contested bureaucracy mandates and potential escape pathways" (2022) 128 *Environ Sci Policy* 142-153.

better achieved.²³ The success of these policies ultimately depends on balancing competing interests while ensuring inclusivity and fairness in their execution.²⁴

The relationship between public policy, bureaucracy, and human rights in social forestry is complex and paradoxical. While laws acknowledge the rights of indigenous communities, their implementation heavily relies on informal ties with local authorities rather than formal legal frameworks. This dependence creates inequality, as well-connected communities are more likely to secure their rights, leaving marginalized groups excluded. By making cultural distinctiveness and state recognition prerequisites for land rights, the state reinforces its control over land governance instead of empowering indigenous groups. Ultimately, the interplay between formal legal systems and informal relationships results in uneven outcomes, benefiting politically dominant groups while sidelining the marginalized.

Akalibey articles highlights the need for international and national organizations to integrate indigenous ecological knowledge (IEK) and practices into environmental policies and sustainable forest management (SFM) strategies. It emphasizes the significance of respecting indigenous peoples' rights to their sacred lands, forests, and rivers while involving them as key stakeholders in addressing climate change. Recommendations include adopting forest management planning (FMP) tools, strengthening institutional frameworks for enforcement, and ensuring holistic environmental policies that consider traditional beliefs. However, the importance of free, prior, and informed consent (FPIC) for development projects and equitable participation of indigenous communities in decision-making processes is crucial. Recognizing these rights ensures alignment with human rights principles, environmental justice, and sustainable development goals.²⁵

The Dry Chaco forests hold immense ecological importance, yet deforestation continues at an alarming pace due to powerful drivers. Securing Indigenous land tenure rights is crucial, as these rights transform their lands into effective barriers against deforestation. Conversely, insecure land tenure undermines forest conservation efforts. Collaborative efforts with Indigenous Peoples are essential to uphold their rights, address their needs, and empower them to lead conservation initiatives rooted in their traditional knowledge. Recognizing and integrating their sustainable land management practices is vital to developing localized solutions for the global environmental crisis caused by industrialized human activities.²⁶

23 Jennifer M Lucey et al, "Reframing the evidence base for policy-relevance to increase impact: a case study on forest fragmentation in the oil palm sector" (2017) 54:3 *J Appl Ecol* 731-736.

24 Golam Rasul, Gopal B Thapa & Madhav B Karki, "Comparative analysis of evolution of participatory forest management institutions in South Asia" (2011) 24:12 *Soc Nat Resour* 1322-1334.

25 Willem van der Muur, "Forest conflicts and the informal nature of realizing indigenous land rights in Indonesia" (2018) 22:2 *Citizsh Stud* 160-174. 25 Scholastica Akalibey et al, "Integrating indigenous knowledge and culture in sustainable forest management via global environmental policies" (2024) 70:6 *J For Sci* 265-280.

26 Micaela Camino et al, "Indigenous Lands with secure land-tenure can reduce forest-loss in deforestation hotspots" (2023) 81 *Glob Environ Change* 102678.

The importances of interconnection between human rights and the sustainable forest management practices of the Dayak Iban community in West Kalimantan. Recognizing their customary land rights is essential to addressing land tenure conflicts and ensuring their cultural and economic survival. The Dayak Iban's traditional knowledge, rooted in customary laws, preserves biodiversity while safeguarding their spiritual heritage and livelihoods, emphasizing their right to maintain cultural identity. Integrating their participation in governance and decision-making processes aligns with the principle of equitable and inclusive development. Furthermore, the economic benefits derived from ecosystem services, such as carbon sequestration and water-related resources, promote economic justice for the community. By addressing these rights and ensuring equitable benefit-sharing, the article underscores the importance of empowering indigenous communities to achieve sustainable development and environmental conservation.²⁷

III. SOCIAL FORESTRY POLICY IN INDONESIA

Social forestry in Indonesia has a long history that begins with the issue of the Forestry Minister's Decree No. 622/Kpts-II/1995 on the Community Forest Guidelines. This policy is designed to accommodate the roles and communities in forest management, both in productive and protected forest areas. However, the policy is still considered artificially and is merely empowering the public without providing wider access. Policy changes continued until the emergence of various regulations aimed at improving the implementation of social forestry. In 1999, this policy was strengthened by the enactment of Law No. 41 of 1999 on Forestry, which provides a legal basis for social Forestry. This law reaffirms the importance of the role of the community in forestry management and provides a strong legal base for the implementing of social forests. Then, in 2004 and 2014, this policy has been revitalized through various government regulations and ministerial decisions that aim to improve implementation and broaden the coverage of social heritage.^{28,29}

Social forestry policy in Indonesia has undergone a number of changes since it was first introduced. Since 1995, the Indonesian government has issued various regulations aimed at strengthening the role of the community in forest management. The following are some important regulations that affect social forestry policy: a. Decree of the Minister of Forestry No. 622/Kpts-II/1995: Guidelines for Social Forestry. b. Law No. 41 of 1999: Forests. c. Government Decree No. 6, 2007: Forestry Management and Preparation of Forest

27 Sandy Leo et al, "Indigenous Dayak Iban customary perspective on sustainable forest management, West Kalimantan, Indonesia" (2022) 23:1 Biodiversitas J Biol Divers 424-435.

28 Theresa Selfa & Joanna Endter-Wada, "The politics of community-based conservation in natural resource management: A focus for international comparative analysis" (2008) 40:4 Environ Plan A 948-965; Dianne Rocheleau et al, "Complex Communities and Emergent Ecologies in the Regional Agroforest of Zambrana-Chacuey, Dominican Republic" (2001) 8:4 Ecumene 465-492.

29 Selfa & Endter-Wada, *supra* note 29; Rocheleau et al, *supra* note 29.

Management Plans, as well as Forest Utilization. d. Ministry of Forests Regulation No. P.35/Menhut-II/2007: Forest Management Cooperation Directives. e. Presidential Decree Number 88 of 2017: Completion of Land Management in Forest Areas.³⁰³¹

Forestry Minister's Decision No. 622/Kpts-II/1995 is a preliminary step in providing access to forest management to the community through the Social Forest scheme. (HKm). However, the implementation of the scheme is still limited and faces many obstacles, especially in terms of bureaucracy and conflict of interest with the forestry. Therefore, improvement measures are needed to increase the effectiveness of this policy.³²³³

Law No. 41 of 1999 provides a strong legal foundation for social forestry, by reaffirming the importance of the role of the community in forest management. Government Regulation No. 6 of 2007 and Ministry of Forestry Regulation Number P.35/Menhut-II/2007 further regulate the arrangements for cooperation in forest management between the government and the public. However, the implementation of this policy in the field still faces various obstacles, such as a lack of socialization and support for the community.³⁴³⁵

In 2017, Presidential Decree No. 88 on Settlement of Land-ownership in Forest Areas was issued to address the frequent tenorial conflict between the public and the government. The regulation provides a clearer settlement mechanism and provides legal assurances to the community that manages the forest. However, implementation challenges remain, in terms of inter-agency coordination and monitoring of implementation on the ground.³⁶³⁷

The problem of social forestry as the impact of forest monopolies that have been going on for decades, so dismantling it also takes a long time. The social forestry dynamics in Pati district involve complex interactions between various stakeholders such as *Kelompok Tani Hutan* (KTH), Perum Perhutani and local government. The impact can vary, from land conflict to environmental damage from excessive exploitation. Various forestry regulations have been making the forest farmers uncomfortable in the freedom to manage their meadows. This sparked the spirit of farmers to fight for better rights in forest land management.

30 Destara Sati, "Politik Hukum di Kawasan Hutan dan Lahan bagi Masyarakat Hukum Adat" (2019) 5:2 J Huk Lingkungan Indones 234-252; Ramadhan & Amalia, *supra* note 5.

31 Sati, *supra* note 31; Ramadhan & Amalia, *supra* note 5.

32 Christine Wulandari & Heni Kurniasih, "Community preferences for social forestry facilitation programming in lampung, Indonesia" (2019) 3:1 For Soc 114-132.

33 *Ibid.*

34 Wahyu Prawesthi, "Politik Kehutanan Dalam Penegakkan Hukum Lingkungan Dan Pengendalian Pengurangan Risiko Bencana" (2016) 12:1 J Kaji Polit Dan Masal Pembang 1781-1792.

35 *Ibid.*

36 Rayyan Dimas Sutadi, Ahmad Nashih Luthfi & Dian Aries Mujiburrohman, "Kebijakan Reforma Agraria di Indonesia (Kajian Komparatif Tiga Periode Pelaksanaan: Orde Lama Orde Baru, dan Orde Reformasi)" (2018) 1:1 Tunas Agrar.

37 *Ibid.*

Social forestry policies have been fought by forest farmers since the New Order, seeking recognition for their rights in managing forests that have been often neglected. The struggle of the forest farmers was carried out during, Several different administrative periods of Indonesian rule, namely the old order, the new order, and the era of reformation. Their efforts to justice in forest land management continued despite facing various obstacles and challenges. Nevertheless, the spirit of the forest farmers to fight for their rights continues to flood.³⁸

However, there is often a conflict of interest between government, society, and the forestry that can hinder the fair struggle of forestry policy for society. Nevertheless, the forest farmers never gave up and continued to fight for their rights that should be guaranteed by law. They continue to work to ensure that forestry policies can deliver fair benefits to communities, without abandoning the sustainability of forest ecosystems. Despite sometimes occurring friction and tension, the desire to justice remains the primary impetus for forest farmers. May one day, their efforts yield satisfactory results and provide a better life for the entire forest community.³⁹

The Tani Forest group in Pati district also experienced various conflicts of interest during each period of government. Increasing taxation by the forestry side as well as restrictions on land management that cause forest farmers' yields to be imbalanced with taxes to be paid, this sparked the spirit of forestry farmers to change their fate by seeking change in forestry policy. They struggle for recognition and protection of their rights as forest farmers. Despite facing many obstacles and challenges, the Forest Tani group continues to unite and work hard to their goals. With a strong spirit and determination, they are convinced that their struggle will yield positive results and bring the expected change to their lives and to the entire forest community. In order to establish the status of the Forestry Division as a State Company, the Government issued Government Regulations No. 17 to No. 30 of 1961 on the Establishment of State Forestry Companies (PERHUTANI), which includes the General Leadership Body (BPU) for Forestry and Forestry-Forestry in East Java, West Java, Java Tengah, South Sumatra, Riau, North Sumatra. Subsequently, to confirm the forest area as a forestry business area, Government Ordinance No. 35 of 1963 (LN. 1963 No. 57) was issued on the designation of forests whose business was handed over to forestry.⁴⁰⁴¹

The monopoly management of the people's forests by the state is part of the legacy of the Dutch colonial era. This leads to the individual forest land owners losing their entire right to forest management. Forest management is coordinated by the state, initially aimed at getting the country's currency from abundant forest yields into the state's export objects. The

38 Respondent 2

39 Respondent 3

40 Keadilan Tenurial, "Pengelolaan Hutan Berbasis Masyarakat , Konflik Kehutanan dan" (2012) Pengelolaan Hutan Berbas Masy Konflik Kehutan Dan Keadilan Tenurial Peluang Dan Limitasi 1-12.

41 *Ibid.*

urgency of forest management against the state's income, ignoring the potential for conflict that occurs with forest farmers. In the old days, the state established forestry dwellings by issuing Government Regulations No. 17 to No. 30 of 1961 on the Establishment of State Forestry Companies. (PERHUTANI).⁴²⁴³

The struggle carried out by the forest farmers group in the territory of Pati district lasted for decades, due to the inequalities in foresters in obtaining rights and fulfilling obligations. Forest farmers only get less productive land. The problem of the status quo in the old order as well as the continued policy of forestry monopolies in the new order increasingly reinforces the turmoil that emerges in forest farmers' communities. In the new order, forestry policies are increasingly reinforcing the role of forestry and private investors, as well as ignoring the roles of native landowners. At this time, landowners are only recognized as cultivators. Strengthened by macro-forest management as an economic as well as politically resource to eliminate the impact of communism hiding in the area around forestry. The new order that lasted for thirty-two years has increasingly strengthened the mindset of forest management stakeholders, that landowners' societies are land-working societies alone.⁴⁴

The reform period became a milestone of hope for a change in forestry policy in forest farmers' communities. Law No. 41 of 1999 was a fresh wind for the forest farmers group, there was an effort to restore the forest landowners to their functions. PP REPUBLIC OF INDONESIA NOMOR 72 YEARS 2010 About the Public Company (PERUM) State Forests which became a milestone in the shift of the function of the forestry monopoly into a clear division with the forest owners. This policy has been strengthened by the agricultural reforms. However, the aim of the agricultural reform policy that is expected to be the happiness of the forest-owned farmers is the opposite. In the implementation it is a boomerang for forest farmers, with the issue of illegal logging.⁴⁵⁴⁶

A new order colored with overlapping policy implementation, there is fragmentation between policy objectives, landowners, and policymakers. This fragmentation has sparked conflict among forest farmers. In 2015, there was a conflict between forest and forestry groups due to losses on land owners. This disadvantage initiated farmers to demonstrate on December 2, 2016. The complaints made by farmers relate to the tradition of levying taxes to farmers in the amount of one hundred fifty thousand to three hundred thousand per quarter hectare of land. The size of this leaf depends on the size of the productive land. However,

42 H Hidayat, *Politik lingkungan: pengelolaan hutan masa Orde Baru dan reformasi* (2008).

43 *Ibid.*

44 Respondent 1

45 Ahmad Dhiaulhaq & John F McCarthy, "Indigenous Rights and Agrarian Justice Framings in Forest Land Conflicts in Indonesia" (2020) 21:1 Asia Pac J Anthropol 34-54.

46 *Ibid.*

the transparency of this pipeline is not passed on to the farmers. The problem of peeling has become a problem for the forest farmers.^{47,48}

For example, a Pati forestry community works with governments and local communities to implement sustainable practices in their forest management. They replant cut trees, involve surrounding communities in forest management, and ensure that natural resources used do not exceed their natural regeneration capacity. Thus, they not only environmental sustainability, but also provide social and economic benefits to the surrounding communities. May this kind of collaboration continue and be an example to other companies in their efforts to maintain environmental sustainability.⁴⁹

Despite efforts to improve social forestry policies, implementation still faces obstacles. One of the main obstacles is the fragmentation of policies at various levels of government, leading to confusion in the field and hindering policy harmonization efforts. Furthermore, conflicts of interest between society and forestry are often a major obstacle to the implementation of social forestry policies.^{50,51} Therefore, more synergistic efforts are needed to overcome these barriers. To increase the effectiveness of social forestry policies, improvement measures are needed that include improved socialization and support for the community, resolution of conflicts of interest, and improved inter-agency coordination.^{52,53} Thus, it is expected that social forestry policies can provide more optimal benefits for society and the environment. The study will analyze various aspects of the implementation of social forestry policies in the Pati district, as well as comparing them with forestry management practices at the global level.

IV. IMPLEMENTATION OF SOCIAL FORESTRY POLICY IN LOCAL CONTEXT

Implementation of social forestry policy in Pati district shows a variety of dynamics and challenges. Although this policy is aimed at empowering the public, policy fragmentation and conflicts of interest are often the main obstacles. One of the main goals of social forestry policy is to give access and governance to the community. In Pati district, several community groups have obtained forest management permits through the Social Forest (HKM) and

47 Fuad Muchlis et al, "Sejarah marginalisasi Orang Rimba Bukit Dua Belas di era orde baru" (2016) 26:2 Paramita - Hist Stud J 218.

48 *Ibid.*

49 Respondent 2

50 Graham W Prescott et al, "Political transition and emergent forest-conservation issues in Myanmar" (2017) 31:6 Conserv Biol 1257-1270.

51 *Ibid.*

52 M R Suresh, B N Mishra & Veena Joshi, "Harinagar Rural Energy Development Project" (1990) 15:1 Vikalpa J Decis Mak 53-56.

53 *Ibid.*

Village Forest schemes. However, the process of obtaining such permits often takes a long time and involves many stages of bureaucracy.⁵⁴

Besides, public participation in forest management is still limited. Many communities still do not fully understand their rights and obligations in the social forestry scheme. This is often due to the lack of socialization and support from the government and NGOs. In some cases, communities also feel that they do not get significant benefits from the social Forestry schemes, so the motivation to engage actively in the right of forest land is low.⁵⁵

Conflicts of interest between the community and the forestry are often the main obstacles to the implementation of social forestry policies. People often feel that they do not get the benefits that are balanced with the efforts they make in managing forests. On the other hand, forestry feels that they lose some of their governance rights. These conflicts often end in tensions that hamper cooperation between society and the forestry. Therefore, effective conflict resolution mechanisms are needed to address this problem.

The policy fragmentation at various levels of government also complicates the implementation of social forestry. There is often an inconsistency between policies issued by the central government and policies at the regional level. This has caused confusion in the field and hindered policy harmonization efforts. In addition, the lack of coordination between government agencies is also one of the factors that hinder the implementation of social forestry policies. Therefore, more synergistic efforts are needed to overcome these various obstacles.^{56,57}

Despite the challenges, social forestry policies also provide significant benefits to society. Through social forestry schemes, people in Pati district gain wider access to forest resources. This helps increase their income through exploitation of non-wood forest products and agroforestry activities. In addition, social forestry policies also contribute to forest conservation. By involving communities in forest management, forest damage can be reduced because communities have a sense of ownership and responsibility to maintain forest sustainability.^{58,59}

To increase the effectiveness of implementation of social forestry policies, improvement measures are needed that include improved socialization and support for the community, resolution of conflicts of interest, and improved inter-agency coordination. Thus, it is expected that social forestry policies can provide more optimal benefits for society and the

54 Respondent 1

55 Respondent 2

56 Christopher B Goodman, "Local Government Fragmentation: What Do We Know?" (2019) 51:2 State Local Gov Rev 134-144.

57 *Ibid.*

58 Constance L McDermott et al, "Transforming land use governance: Global targets without equity miss the mark" (2023) 33:3 Environ Policy Gov 245-257.

59 *Ibid.*

environment. The study will analyze various aspects of the implementation of social forestry policies in the Pati district, as well as comparing them with the right to forest land at the global level.⁶⁰

The forestry policy in the era of reform has strengthened with the existence of social forestry/Social Forestry policy as a policy that has been promoted since 1999. As well as some periods of state leadership. Social forestry is the gateway to happiness for forest farmers. Pati district, originally the only Kembang Dukuhseti region that has been included in the list of social forestry land since 2017. Because this region has been linked to the myrtle rejoin. The successful efforts of the Kembang forest farmers have been heard by the Puncel Forest farmers and the other fourteen forest farmer groups.⁶²

Cooperation between the various stakeholders in the management of social forestry is the key to ensuring the success of the program. With the reduction of the role of forestry and the increased role of local communities, forests can be managed more sustainably and in the interests of the community. Inter-unit and departmental collaboration also ensures that every decision taken involves different perspectives so that the policies implemented can maximize the benefits for all parties involved. Thus, social forestry can be an effective solution inining the sustainability of forests and the well-being of communities. Social forestry policies provide good news for forest farmers after decades of uncertainty in monopoly domination. Now, forest farmers can feel the positive impact of a more inclusive and socially beneficial forestry policy. Inter-unit and departmental collaboration has proven that decisions taken from different perspectives can maximize the benefits for all parties involved. Thus, social forestry is not only an effective solution inining the sustainability of forests, but also improving the well-being of the communities that depend on them.⁶³

But this policy, on the other hand, has had an impact on the reduction of forestry institutions that have been monopolizing forest land ownership in Indonesia. So the opposite impact emerged from bureaucratic pressure on forest farmers. It shows that social forestry is not without challenges and consequences to face. Nevertheless, the measures taken in implementing social forestry policies must remain directed towards achieving a balance between environmental sustainability, the well-being of the community, and also the right of forest land would be implemented. Thus, collaboration between the government, forestry agencies, and local communities is the key toining the sustainability of Indonesian forests.⁶⁴

According to respondent 1 stated that "I am pleased with the clarity of the social forestry with the abolition of the Kepmenlhk in 2023. Forest farmers feel the great benefits of this

60 Truly Santika et al, "Heterogeneous impacts of community forestry on forest conservation and poverty alleviation: Evidence from Indonesia" (2019) 1:2 People Nat 204-219.

61 *Ibid.*

62 Respondent 1

63 Respondent 2

64 Respondent 3

policy, but we also need to stay alert to potential conflicts that may arise later on. Therefore, a comprehensive and inclusive approach must continue to be applied so that social forestry programmes can run smoothly and bring maximum benefits to all parties involved." Thus, the implementation of social forestry policies in Indonesia is not only about managing forests sustainably, but also about creating a harmonious relationship between the right of forest land and the environment.⁶⁵

Contrary to what respondents 2 submitted as part of the stakeholders who stated "Social forestry is a risky political policy and vulnerable to conflict of interest. Therefore, there is a need for strong monitoring and transparency mechanisms in the implementation of this programme to prevent abuse of power and natural resources. Thus, the sustainability of social forestry programmes can be ensured and have a positive impact on the right forest land in society and the environment." In this context, collaboration between governments, local communities, and various stakeholders is the key to the successful implementation of social forestry policy in Indonesia.⁶⁶

V. SOCIAL FORESTRY IN GLOBAL CONTEXT

In a global context, social forestry in Indonesia can be compared to various community-based forest management practices in other countries. One example of successful CBFM practice is in Nepal. Nepal is one of the pioneers in the implementation of community forestry. The program started in 1978 and has successfully increased public involvement in forest management. Through this scheme, community groups are given the right to govern the forest through a forest user committee. (forest user groups, FUGs). As a result, more than 1.8 million hectares of forest are managed by more than 22,000 FUGs. The forestry community program in Nepal has successfully improved the well-being of the community around the forest as well as ensuring forest sustainability. People get economic benefits from forest products rather than wood, such as honey, mushrooms, and medicinal plants. In addition, they are also involved in conservation activities, such as planting trees and forest surveillance. The success of the programme is supported by a clear policy framework and government commitment to supporting the role of the community in forest management.⁶⁷

India also has relevant experience in community-based forest management. The Joint Forest Management (JFM) program in India, which began in the 1990s, involves communities in forest management through partnerships between government and communities. Through this program, the community is given the right to use non-wood forest products as well as part of wood forest products. The JFM program has succeeded in

65 Respondent 1

66 Respondent 2

67 E D Cedamon et al, "Contribution of integrated forest-farm system on household food security in the mid-hills of Nepal: assessment with EnLiFT model" (2019) 82:sup1 Aust For 32-44.

improving the well-being of the community and preserving forest sustainability. Nevertheless, the programme also faces challenges, such as conflicts of interest and policy fragmentation.⁶⁸ In Mexico, the ejido model, where local communities have collective rights to land and forest resources, also demonstrates success in community-based forest management. Local communities in Mexico manage their forests in a sustainable way and get significant economic benefits from such activities.⁶⁹

The experience of these countries shows that the right forest land can be an effective solution to dealing with forest degradation and improving the well-being of communities. The key to the success of these programmes is a clear policy framework, government support, and active participation of the public. In addition, it is also important to have an effective conflict resolution mechanism to address the various challenges that arise in the implementation of the programme.⁷⁰

By comparing Indonesian social forestry policies with forestry management practices at the global level, innovative and effective solutions are expected to be found to address the various challenges faced in the implementation of social Forestry policy in Indonesia. The study will analyze various aspects of the implementation of social forestry policies in the Pati district and compare them with forestry management practices at the global level. Thus, it is expected to make a meaningful contribution to the development of a more effective and sustainable social forestry policy in Indonesia.

VI. MONOPOLIES TO THE RETURN OF RIGHTS: A REVIEW OF SOCIAL FORESTRY POLICY FOREST FARMERS' PERSPECTIVE

The implementation of social forestry policies in Indonesia highlights critical challenges that intersect with human rights principles, particularly in recognizing the rights of local communities. The bureaucratic hurdles in obtaining forest management permits through schemes such as Social Forest (HKM) and Village Forest reflect a significant gap in accessibility and inclusivity. Prolonged processes, overlapping responsibilities among agencies, and a lack of transparency often leave communities disempowered.⁷¹ From a human rights perspective, these issues infringe on the right to participate in decision-making processes that

68 Arabinda N Chowdhury et al, "Ecopsychosocial Aspects of Human-Tiger Conflict: An Ethnographic Study of Tiger Widows of Sundarban Delta, India" (2016) 10 *Environ Health Insights*.

69 James Barsimantov & Jake Kendall, "Community Forestry, Common Property, and Deforestation in Eight Mexican States" (2012) 21:4 *J Environ Dev* 414-437.

70 Wartiningsih & Nunuk Nuswardani, "Policy model reconstruction of social forestry" (2021) 5:1 *Sriwij Law Rev* 130-142.

71 A Hudgins & A Poole, "Framing fracking: Private property, common resources, and regimes of governance" (2014) 21:1 *J Polit Ecol* 303-319.

impact livelihoods and the environment.⁷² Simplifying procedures and ensuring that communities are directly involved in governance can address these issues, fostering both empowerment and equitable access to natural resources.⁷³

Access to information and community capacity building remain crucial elements in advancing the human rights framework within social forestry.⁷⁴ Many communities lack a clear understanding of their rights and obligations under the scheme due to inadequate socialization efforts and limited government outreach. This situation undermines their ability to fully participate in forest management, leaving them unable to claim their entitlements.⁷⁵ Human rights frameworks emphasize the importance of education and capacity building as tools for empowerment. Targeted programs led by government agencies and NGOs must aim to bridge this knowledge gap while promoting inclusivity. Special attention should be given to marginalized groups, including women and indigenous populations, ensuring their meaningful involvement in forestry governance.⁷⁶

Equitable benefit-sharing mechanisms are another pressing issue. Communities often feel that their contributions to the right of forest land are not adequately rewarded, which weakens their motivation to participate actively.⁷⁷ Meanwhile, forestry authorities express concerns about losing governance control, resulting in tensions that obstruct collaboration. These inequities underscore the need for fair benefit-sharing arrangements that respect the rights of all stakeholders.⁷⁸ Additionally, human rights principles call for the establishment of transparent conflict resolution mechanisms to address disputes effectively. Such mechanisms are essential for fostering trust and cooperation, enabling communities and forestry agencies to work together toward sustainable forest management.⁷⁹

72 Almut Schilling-Vacaflor & Andrea Lenschow, “Hardening foreign corporate accountability through mandatory due diligence in the European Union? New trends and persisting challenges” (2023) 17:3 *Regul Gov* 677-693.

73 MP Gabaldón, *The commission Co-ordinating climate change policies: About the complexity of vertical and horizontal mainstreaming of climate change policy and the intergovernmental relations* (2013).

74 Ferdinal Asmin et al, “Mainstreaming community-based forest management in west sumatra: Social forestry arguments, support, and implementation” (2019) 3:1 *For Soc* 77-96.

75 M R Fisher et al, “Assessing the New Social Forestry Project in Indonesia: Recognition, Livelihood and Conservation?” (2018) 20:3 *Int For Rev* 346-361.

76 Anupama Lama & Marlène Buchy, “Gender, Class, Caste and Participation: The Case of Community Forestry in Nepal” (2002) 9:1 *Indian J Gend Stud* 27-41; Satyapriya Rout, “Gendered participation in community forest governance in India” (2018) 13:1 *Contemp Soc Sci* 72-84.

77 Dominique Cagalanan, “Governance Challenges in Community-Based Forest Management in the Philippines” (2015) 28:6 *Soc Nat Resour* 609-624.

78 Anne Kathrin Weber, “Corporate Role Conceptions in Global Forest Governance” (2020) 11:5 *Glob Policy* 611-627; AO Okafor & JT Martins, “Institutional stakeholder perceptions of barriers to Green IT policy in Nigeria” (2017) 16:1 *Int J Technol Manag Sustain Dev* 71-95; P Rana & A Chhatre, “Beyond committees: Hybrid forest governance for equity and sustainability” (2017) 78 *For Policy Econ* 40-50.

79 Ani Kurniawan, “Policies in alleviating micronutrient deficiencies: Indonesia’s experience” (2002) 11:s1 *Asia Pac J Clin Nutr*; Camino et al, *supra* note 27.

Policy overlaps and weak coordination among government institutions exacerbate these challenges, creating inefficiencies and confusion at the grassroots level. This lack of clarity affects both communities and officials, leading to delays in enforcement and duplicated efforts. From a human rights perspective, accountable governance requires clearly defined roles, responsibilities, and robust inter-agency collaboration. Legislative reforms and improved institutional coordination can mitigate these issues, ensuring that policies align with the needs of affected populations. By creating a unified and coherent framework, social forestry initiatives can better support the rights of communities while enhancing the effectiveness of forest governance.⁸⁰

Finally, the broader context of climate change and political fragmentation further complicates the realization of human rights in social forestry. Marginalized communities are disproportionately affected by ecological degradation and shifting climate patterns, intensifying their vulnerabilities.⁸¹ Social forestry policies must prioritize climate justice by promoting resilience and ensuring sustainable livelihoods. At the same time, political fragmentation and incremental policymaking often hinder the adoption of long-term solutions. A human rights-based approach can help overcome these obstacles by fostering inclusive, sustainable, and adaptable governance frameworks.⁸² By addressing these interconnected issues, social forestry policies have the potential to not only protect the environment but also uphold the dignity and rights of the communities who depend on it.

VII. CONCLUSION

The results of this research reveal that the implementation of social forestry policies in local contexts continues to face numerous complex challenges. These include political fragmentation, conflicts of interest between the public and forestry authorities, and significant human rights concerns. The lack of inclusive socialization, insufficient support from government and NGOs, and limited community participation further exacerbate these issues. From a human rights perspective, these obstacles undermine the principles of equity and inclusivity, as marginalized communities often struggle to assert their rights to land and resources. Despite these challenges, social forestry policies have yielded tangible benefits,

80 Lucey et al, *supra* note 23; Lee, *supra* note 22.

81 Schilling-Vacallor & Lenschow, *supra* note 75.

82 Ian P Henry, "Processes of political, cultural, and social fragmentation: changes in the macro-environment of sport policy and management: c.1980-c.2022" (2022) 22:5 *Eur Sport Manag Q* 705-725.

such as enhanced access to forest resources and improved well-being among local populations.

To enhance the effectiveness of social forestry policies, significant reforms are necessary. These should include measures to address human rights concerns by ensuring fair participation and equitable benefit-sharing mechanisms. Improved socialization and targeted support for communities, alongside conflict resolution strategies and better inter-agency coordination, are critical for resolving systemic issues. Drawing lessons from the right forest land practices in Nepal, India, and Mexico, Indonesia can adopt more inclusive approaches that emphasize transparency, community empowerment, and participatory decision-making. These international experiences can guide the development of more equitable and effective social forestry policies tailored to Indonesia's unique challenges.

Ultimately, this research provides valuable insights into the dynamics of social forestry in local contexts offering recommendations for addressing policy gaps and aligning implementation with human rights principles. By prioritizing sustainable development and environmental conservation alongside the protection of community rights, Indonesia can create a more inclusive framework for forest governance. Integrating these approaches will not only strengthen the policy's impact but also ensure that social forestry contributes to a fairer and more sustainable future for both the environment and its dependent communities.

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