

## Dynamics of Agrarian Conflict and Corporate Responsibility: Pantai Cermin Community and PTPN V, Kampar

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### ABSTRACT

*Agrarian conflict in Indonesia is a structural phenomenon that reflects inequality in land ownership and management. This study examines the agrarian conflict between the community of Pantai Cermin Village and the state-owned company PT Perkebunan Nusantara V (PTPN V) in Tapung Subdistrict, Kampar Regency, Riau Province. The dispute originated from the customary (ulayat) land claims of local residents, which are not formally recognized by the state, while the company controls the land through a Right to Cultivate (HGU) permit, the validity of which has been questioned. The situation is further complicated by land ownership claims supported by Land Ownership Certificates (SHM) from residents of the neighboring village, Pagaruyung. Using a qualitative approach, this study explores the dynamics of the conflict, the involved actors, its root causes, and the resolution efforts that have been undertaken. The findings reveal that the conflict stems from overlapping land claims, weak recognition of customary rights, and the absence of active state intervention in post-HGU land redistribution. Conflict resolution requires a multilevel approach involving the recognition of customary land rights, transparent land data verification, and inclusive mediation involving customary institutions, government bodies, and independent actors. This study highlights the urgent need to reformulate a just and inclusive agrarian system to prevent similar conflicts in the future.*

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## 1. INTRODUCTION

Land is one of the most important resources for the people of Indonesia, particularly in supporting agricultural and plantation activities. However, in practice, land ownership and control often give rise to problems. One of the main causes is the difference in perspective between customary law, which views land as communal property (*ulayat* land), and state law, which regulates private land ownership through official land certificates. This difference frequently triggers conflicts in various regions, especially in areas rich in natural resources such as palm oil plantations. The

resulting tensions not only affect social relations among community groups but also can lead to economic losses and prolonged conflicts if not addressed properly. Land conflict remains a recurring issue in many regions of Indonesia. These disputes are generally caused by differing ownership claims among communities, companies, and even between community groups themselves. The discrepancy between formal legal evidence and the recognition of customary rights often creates confusion during resolution processes. As a result, many conflicts persist for years without a solution that satisfies all parties involved.

One such conflict occurred in Riau Province, specifically in Tapung District, Kampar Regency, involving the people of Pagaruyung Village and Pantai Cermin Village. The residents of Pagaruyung Village claimed rights to approximately 600 hectares of palm oil plantation land based on individual land ownership certificates (SHM). Meanwhile, the community of Pantai Cermin Village argued that the land is ancestral customary land passed down through generations. The dispute even escalated to the point of nearly causing physical clashes on the ground.

The sub-district government, along with local leaders and the Malay Customary Assembly of Riau, has made efforts to mediate and ease the conflict. The Tapung sub-district head emphasized that peaceful solutions should be prioritized by considering the validity of land ownership documents. Meanwhile, the Malay Customary Assembly stressed the importance of maintaining order and respecting both legal and customary processes. This situation illustrates the need for a comprehensive and fair approach in resolving land conflicts that involve both formal legal dimensions and customary community rights. This journal aims to (1) Identify the land ownership status of the disputed palm oil plantation between the communities of Pagaruyung and Pantai Cermin Villages, (2) Analyze the legal basis used by each party in claiming the land, (3) Examine the roles and interplay between formal law (land certificates/SHM) and customary law (*ulayat* land) in this conflict, (4) Provide fair and sustainable recommendations for resolving the land dispute.

## 2. METHOD

This study uses a descriptive qualitative approach through literature review. Qualitative methods focus on exploring and understanding social phenomena using descriptive data such as words, images, or objects (Merriam & Tisdell, 2016). The analysis emphasizes the dynamics of agrarian conflict and corporate responsibility in the case of Pantai Cermin Village and PTPN V. Secondary data were used, sourced from the BPS, relevant websites, journal articles, and previous studies. The data analysis included three stages: (1) Data reduction simplifying and focusing on information relevant to the research goals; (2) Data presentation organizing reduced data into narratives or tables for clarity; and (3) Conclusion drawing deriving meaning from the presented data to address research objectives.

## 3. RESULTS AND DISCUSSION

Land conflicts in the Tapung area, Kampar Regency, Riau Province, stem from very fundamental issues in the Indonesian agrarian system, namely the imbalance in land control, the lack of full recognition of customary land in the positive legal system, and the weak land governance by the state. In this case, the conflict erupted between the people of Pantai Cermin Village and the state plantation company PT Perkebunan Nusantara V (PTPN V) Sei Galuh, which has long controlled the land through a Business Use Rights (HGU). Initially, the people of Pantai Cermin Village stated that the disputed land was customary land or *ulayat* land that they had inherited for generations long before the state issued the HGU to PTPN V. The land not only has economic value but also historical, social, and cultural significance that is deeply ingrained in the lives of the indigenous community. When the government granted HGU to PTPN V, the local community was not actively involved in the decision-making process, and many of them were unaware of the legal status details of the land they occupied and managed. After the period of HGU granted to PTPN V is suspected to have ended, the community's hope grows to reclaim the land that historically and traditionally belongs to them. However, the reality on the ground shows the opposite: instead of being returned, the land remains under the control of the company and is even being replanted by them. PTPN V does not show a cooperative attitude in the resolution process, but instead continues its plantation activities as if no dispute is occurring. This has caused a deep sense of injustice among the community, especially those who have depended on the land for their livelihood for decades.

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## 1. Land Ownership Status

The status of land ownership in the conflict in Pantai Cermin village, Tapung district, Kampar regency, is not only administratively complex but also socially and culturally sensitive. This issue involves three main actors with different claims over the same land, creating a situation of overlapping legalities and potential conflict. On one hand, the people of Pantai Cermin Village state that the disputed land is ancestral land or ulayat land that has been passed down through generations from their ancestors. The control of this land is even said to have been in place since before the Dutch colonial era, which means their presence on this land is not new or temporary, but rather a part of a long-established history and cultural identity. The Pantai Cermin community does not possess formal documents such as the Certificate of Ownership (SHM), but they rely on customary legitimacy, which, from the perspective of Indonesian agrarian law, should be recognized and respected as stipulated in the Basic Agrarian Law (UUPA) of 1960. However, in practice, the recognition of customary land rights often tends to be merely formal and lacks enforcement power in land policy. When customary land conflicts with land rights issued by the state, such as HGU or SHM, the position of indigenous communities is almost always on the weaker side. This becomes the main root of injustice in land management, as seen in the Tapung case.

Unlike the Pantai Cermin community, the residents of Pagaruyung Village claim that they possess a legally valid SHM as the basis for their rights to the disputed land. SHM, as the highest form of land ownership in the national land system, certainly provides significant legal power to its owner. However, the issue lies in how the issuance process of the SHM is carried out, and whether the area listed in the certificate is truly free from customary claims. Without transparent and accurate verification from the authorities, the existence of SHM could actually worsen the situation if it overlaps with customary areas that have never been released or legally transferred by the community. The existence of SHM indicates that there has been a bureaucratization process of land that does not take into account the previously existing customary land ownership. It is highly likely that the land designated as SHM was previously part of the Hak Guna Usaha (HGU) concession owned by PT Perkebunan Nusantara V (PTPN V), which has expired. In this case, a big question arises: to whom should the former HGU land be returned? Should it be returned to the state for fair redistribution? Or to the indigenous people who have historically and practically managed the land?

Meanwhile, PTPN V, as a state-owned company, previously obtained control over the land through the HGU mechanism. However, after the HGU period is allegedly over, there is no clear and transparent process regarding the redistribution or return of land to the rightful parties. This creates a legal vacuum that then becomes a space for various claims, both from indigenous communities and from residents who hold formal certificates. This ambiguity is exacerbated by the lack of coordination among state agencies authorized in land matters, so the legality of PTPN V's land control is now questioned and has become the basis for community lawsuits. The situation becomes increasingly uncertain because there is no comprehensive and participatory inventory and validation process for the former HGU land. Without clarity on who is entitled to the land after the HGU ends, each party will continue to uphold their claims by any means necessary. This not only has the potential to cause horizontal conflicts among citizens but also creates a crisis of trust in state institutions, as they are seen to have failed in providing legal certainty and protection of people's rights.

## 2. Factors Causing the Conflict

The agrarian conflict in Pantai Cermin village, Tapung sub-district, Kampar district, is not an event that emerged suddenly, but rather the result of an accumulation of structural issues that have persisted for a long time without thorough resolution. Various factors are interconnected and reinforce each other, creating a situation that is very vulnerable to open conflict between the community and corporations. One of the main factors is the overlapping claims of land ownership. In this case, there are three different claims over the same land: the claim by the indigenous community of Pantai Cermin Village, which states that the land is part of their ancestral heritage; the claim by the Pagaruyung Village community, which holds a land ownership certificate (SHM); and the claim of control by PT Perkebunan Nusantara V (PTPN V), which previously managed the land under a Business Use Rights (HGU) agreement. When these three interests collide, and there is no authoritative clarity from the government about which one is legitimate, conflict becomes

inevitable. The situation worsens due to the lack of legal certainty and a clear land redistribution mechanism after the alleged expiration of the HGU period owned by PTPN V. Ideally, under normal conditions, after the HGU expires, the land should be returned to the state to be evaluated for use according to the principles of social justice and the interests of the local community. However, the opposite has happened; the land remains under the control of the company, and it has even been reported that it continues to be cultivated and actively managed as if there were no legal obligation to return it. This has caused anger among the community who feel their rights are being violated, and it adds to the impression that the company is acting arbitrarily without regard for social responsibility principles or applicable laws.

The weak oversight from the government regarding the expiration of HGU and the lack of clear transition management have worsened the situation. The government appears passive, even seeming to let this conflict develop uncontrollably. The absence of the state in such crucial moments creates a legal gray area, where each party feels entitled to act based on their own interpretation and interests. When the company continues to manage the land, the indigenous community carries out seed planting actions as a symbol of protest, and residents with land certificates still claim their formal legality, then no authority is able to quell the potential conflict. Such neglect not only creates social tensions but also demonstrates the state's failure to manage and resolve agrarian conflicts fairly and comprehensively. This situation becomes increasingly dangerous because at the grassroots level, provocations have occurred that have divided the solidarity among the communities. The tension between Pantai Cermin Village and Pagaruyung Village, which previously coexisted, has turned into an open confrontation due to conflicting land claims. The physical clashes that occurred are clear evidence that this conflict has moved beyond the legal realm and into the arena of horizontal conflict. This is certainly very concerning because it not only damages the relationships among village residents but also causes social trauma and threatens social stability in the area.

Another crucial factor is the government's indecisiveness in establishing the legal status of land both administratively and traditionally. The state has legal instruments to recognize customary land through the mechanism of customary land registration, but in practice, this is rarely done or even completely ignored. When the state prioritizes formal evidence such as SHM without considering the historical and sociological aspects of land tenure, indigenous communities find themselves in a very weak position. The government's inability to mediate this conflict shows how the land system in Indonesia is still not fully capable of accommodating the diverse social realities on the ground.

### **3. Conflict Resolution System**

The resolution of the agrarian conflict occurring in the Pantai Cermin village area, Tapung sub-district, Kampar Regency, between the Pantai Cermin village community, the Pagaruyung village community, and PT Perkebunan Nusantara V (PTPN V) requires a comprehensive, inclusive approach that does not solely rely on formal legal mechanisms. The complexity of this issue, which involves legal, social, cultural, and historical dimensions, demands a strategy that is not only legalistic but also prioritizes social justice and reconciliation among the residents. One of the approaches that has started to be promoted in resolving this conflict is the customary approach. The Malay Customary Institution of Riau (LAMR), as a cultural institution with moral legitimacy in society, has called for this conflict to be resolved peacefully by prioritizing deliberation and local wisdom. In the context of the Malay Riau community, values such as consensus, tolerance, and respect for the history of customary land are still very much alive. Therefore, LAMR emphasizes the importance of bringing all parties together in a customary forum that not only discusses land status issues but also heals social relations that have been damaged due to horizontal conflicts among village residents. Such an approach is very relevant, especially in the context where conflicts have caused trauma and mutual suspicion. In addition to the cultural approach, the local government through the Kampar Regional People's Representative Council (DPRD) has initiated a Hearing Meeting (RDP) as a meeting space for the involved parties. This forum is expected to serve as a platform for clarification and joint problem-solving, involving elements of the government, community leaders, company representatives, and representatives from the two disputing villages. Although the results of the RDP have not yet reached finality or a unanimous agreement, at least this forum demonstrates the political goodwill of some stakeholders to resolve the conflict openly and democratically. However, the RDP alone is not enough if it is not followed by concrete and technical steps that address the root of the problem.

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One of the crucial technical steps is to re-catalog the land ownership status in the disputed area. This includes an audit of the former HGU land of PTPN V, including the boundaries of the concessions and the expiration dates of the permits. In addition, it is necessary to verify all issued Land Ownership Certificates (SHM), especially to ensure that the issuance process complies with legal procedures and does not conflict with indigenous community claims. In this process, transparency and community participation are absolute requirements for the results to be accepted by all parties. Secrecy and data manipulation will only prolong the conflict and deepen the existing social wounds. The state, through government apparatus, is also required to be actively and neutrally present in this resolution process. Supervision of field dynamics must be conducted rigorously, especially to prevent horizontal conflicts that could result in loss of life. Security forces must not take sides with any particular company or group, but should perform their duties as maintainers of order and facilitators of peace. Public trust in the state greatly depends on the neutral and fair attitude of the authorities, especially in highly sensitive situations like this.

In addition to local and government approaches, the role of independent third parties is also very much needed. Mediation by non-governmental organizations, academics, or community leaders who do not have a direct interest in the land can be an objective alternative for resolution. This mediation not only serves as an intermediary in communication but can also create a comprehensive resolution roadmap based on social, legal, and local historical analysis. Involving universities, agrarian NGOs, and other independent institutions will strengthen the legitimacy of the resolution process and avoid the assumption that the process is controlled by certain powers.

## CONCLUSION

The agrarian conflict that occurred in Pantai Cermin Village, Tapung District, Kampar Regency, reflects the structural imbalance in land ownership in Indonesia. This conflict involves three main parties: the indigenous people of Pantai Cermin Village, the residents of Pagaruyung Village who hold Land Ownership Certificates (SHM), and PT Perkebunan Nusantara V (PTPN V) which manages the land through Business Use Rights (HGU). Disputes arise due to overlapping land claims and the weak legal recognition of indigenous people's customary rights. The absence of the state in regulating land redistribution after the expiration of the HGU exacerbates the existing conflict. The government does not provide a transparent and fair mechanism to resolve disputes, causing indigenous communities to feel their rights are being ignored. This situation is further complicated by the lack of thorough verification of the SHM claimed by the Pagaruyung residents and the unclear legal status of the former HGU land. Conflict resolution requires a multilevel approach that involves the recognition of customary rights, re-surveying disputed land, and the involvement of all parties in the mediation process. The Malay Customary Institution of Riau (LAMR), local government, and independent parties such as academics or agrarian NGOs need to participate in the resolution process to achieve social justice. A purely legal approach is not enough, because of this conflict.

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