

Conflict Management between Communities and Mining Companies in the Social Resilience Perspective (Case Study on the Mining Circle Society of Pulau Taliabu District)

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ABSTRACT

This study aims to analyze the conflict management model in a comprehensive and detailed manner are as follows; (1) Analyzing conflicts between communities and mining companies; (2) What is the model of conflict management between communities and mining companies from the perspective of social security. Using a qualitative approach, and an Interactive Model analysis of Miles and Huberman, conclusions are obtained: First, Conflicts between communities and mining companies, such as (a), the existence of conflicts in the form of ongoing demonstrations; (b), the type of conflict in the form of conflict between social classes and political conflicts; (c) the causes of conflicts in the form of inadequate socialization, lack of disclosure of information on Mining Management, Differences of Interest, The existence of impacts in the form of loss and reduction of community production land and environmental damage as well as unresolved Impact Compensation. Second, Conflict Management Model viz. (a) conflict management style uses competition conflict management style and avoidance conflict management style, (b), the pattern of conflict management approach that is negotiation, mediation and conciliation which has not been effective so that it needs an arbitration step in conflict resolution.

Keywords: conflict management, social resilience

INTRODUCTION

Social resilience is the ability that communities must have in social interactions to deal with threats or disturbances, both actual and potential by utilizing available resources to recover quickly from a crisis. Of course, capacity is needed in social security systems that are used as a tool or purpose. As quoted [1], According to Gene Sharp, civil powerbased defense experts is a social power capacity to control others, directly or indirectly through action by groups of people who clash with other groups. Social power or social resilience is intended to maintain the sovereignty and integrity of both the natural resources contained therein to achieve prosperity and prosperity for all Indonesian people.

Indonesia is one of the countries in the world with abundant of natural resources, especially mineral and coal resources. All of these natural resources are obtained through the mining process. Mining is a series of activities in the context of efforts to search, mining (excavating), processing, utilizing and selling minerals (minerals, coal, geothermal and oil and gas) [2]. It is hoped that mining management can provide social resilience and prosperity to the local community as well as to the regions and countries.

As mandated by the 1945 Constitution article 3, paragraphs 3 that "the earth, water and natural resources contained therein are controlled by the State and used for the greatest prosperity of the people". The natural resources contained therein are natural resources including renewable natural resources (Renewable Resources) and non-renewable natural resources (Non Renewable Resources). Natural resources managed by mining companies play an important and very reliable role as the country's economic income.

This is also stated in the Act of the Republic of Indonesia Number 4 Year 2009 Concerning Mineral and Coal Mining, in article 3 the objective point (e) is to increase the income of local, regional and state communities, as well as to create employment opportunities for the maximum welfare of the people; (f) guarantee legal certainty in conducting mineral and coal mining business activities.

But on the other side of the economic and development income generated by mining, mining activities often experience various kinds of obstacles and challenges, especially the problem of rejection or resistance from the community. As quoted [3], According to Turner, states that mining conflicts in regions throughout Indonesia arise as a result of biased views on Natural Resources (SDA), environmental degradation and the erosion of the community which then becomes difficult to

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resolve due to escalation and even crisis laden with interests and power that is not distributed fairly. The conflict explained the different interests, strengths and vulnerabilities of different social groups based on concerns about social justice in their use.

Then it is strengthened by the research which conducted by [4], which describes the causes of conflict that conflict occurs because of communication stagnation between companies, communities and government officials, in terms of compensation for land and plants caused by mining, and politically does not involve the community in the process of formulating policies, especially revenue systems that are considered nepotism. In other words, conflicts arising from mining companies due to the letting of the factors causing the conflict occur without a conflict management system in managing development activities.

Various theories have been given by experts in seeing conflict with various approaches to handling and processing as an effort to manage conflict. As mention as Galtung, conflict intervention must take a neutral position. Galtung suggested certain changes were made through a neutral intervention called the transcend method approach (coming out of limitations through an intensive dialogue process that relies on shared interests [5]. This conflict approach requires an understanding of the existence of conflict in order to get a neutral intervention. This is quite difficult if the conflict escalation is still unclear.

Then quoted [6], According to Dean G. Pruitt and Jeffrey Z Rubin, put forward a theory about dispute resolution with the five strategies, first is contending; second, yielding; third, problem solving; fourth, with drawing (withdrawing) fifth inaction (silence). Meanwhile, according to Ross the strategy in solving conflict is self-help and joint problem solving [7]. The two management strategies essentially have similarities in seeing conflict.

Meanwhile, according [8], increasing social conflicts that occur in the mining sector because they never get adequate resolution. There are only two ways in which governments and companies reduce social conflict around mining areas: First, the security approach is always used by the government and mining companies to reduce people's protests against mining; second, in addition to the security approach, another effort that was later chosen was community development (CD). In this way the company and the government hope that the public is preoccupied with receiving, managing and even fighting over CD funds.

As based on data from the environmental vehicle (WALHI) in 2013 there were 369 (three hundred sixty nine) cases of conflict with an area of conflict reaching 1,281,666,059 hectares involving 139,874 households

(HHs). It is much increased sharply before, in 2012 the number of conflict cases that occurred as many as 198 (one hundred ninety eight) cases or increased by 86.36% (eight six point thirty six). In the past 6 years, there were 13 (thirteen) people dead, 125 (one hundred twenty-five) injured and 234 (two hundred thirty four) detained due to mining conflicts [9].

Based on the results of AMAN Maluku mapping, the area which almost became a mining area in North Maluku Province is Sula Islands with an area of 479,666.93 hectares, but a mine is only 351,730.98 hectares. The Sula Islands have 97 mining permits, followed by Central Halmahera (66), South Halmahera (57), for the rest, is in East Halmahera, North Halmahera, West Halmahera, Morotai and Tidore. Impacts on 54 customary territories into mining and in 2014 conflicts occurred in the seizure of customary territories in 30 cases, 24 in mining [10]. According [11], that among the 97 mining permits of Sula Islands, eight production operation permits, those are owned by PT AdidayaTangguh and PT. Bintani Menga Indah, which is in the Regency of Taliabu Island, which at that time had not yet been split from Sula Island Regency.

The existence of the company in Pulau Taliabu Regency had an impact. As According [12], the Impact caused by the company's activities have occurred; (a) environmental impacts such as; floods which have damaged community gardens and agricultural crops; (b) Impacts in the form of forced evictions and destruction of crops by the company; (c) Many residents complained of the actions of the company. (d) Also the source of clean water that is always consumed by Tolong village people has been contaminated by mud so that it can no longer be consumed. The impact caused not only the impact of natural damage but the social impact also caused.

As quoted [13], according to WALHI about North Maluku, that the mining activities of PT. AdidayaTangguh has changed the structure of the North Taliabu and Lede tropical forest ecosystems without conducting proper public consultation. The company also closes residents' access to their arable land and evicts productive plantations which are the mainstay and economic sectors of the community. PT. Tangguh Superpower is considered to have conducted land clearing activities before completing its boundary layout. The company's activities have also damaged the function of the water catchment area resulting in the overflow of the Samada River. The overflowing river water then floods and damages the mainstay

commodity crops of residents. Of course this will result in damage to the social life of the local community which has an impact on social resilience.

The social conflict that arose in the Taliabu mine area in the form of protest actions in the form of demonstrations with various demands to the PT AdidayaTangguh company since its arrival in 2009 is still ongoing until now. As quoted [14], The actions of rejection by the community related to the activities of PT. Tangguh Superpower has been carried out 42 times. The climax, February 23, 2017 was when a clash involving the people of the Taliabu Islands with security forces, shortly after the community completed the action in front of GambosePort (the entrance of the company) to demand the closure of PT. AT. In that incident, 10 residents were named as provocation suspects.

In these turbulent and uncertain conditions, social conflict will not be avoided. In line with opinion [15], that disputes or conflicts between business entities and indigenous peoples over the existence of mining exploitation occur in such a way. Redi added his description then began with an overlap between the mining business permit area of the mining company and the customary land of the customary community. Besides that according [16], states that the Minerba Act does not provide an opportunity for the community to get justice, there is no comprehensive complaints and dispute resolution mechanism and there is no room for the community to take class action if there are losses arising from mining activities. Then the potential for conflict in such circumstances seems to be maintained through the state of impartiality of the regulatory system on society and the impact caused without a solution of handling and fair resolution.

In line with what was stated by [17], from the perspective of a non-military defense system that has been listed in the general elucidation of Act No. 3 of 2002 concerning national defense, such as understanding the Indonesian people in facing disputes and conflicts, the Indonesian people always seek a peaceful ways. Suryokusumo also added that the peaceful way to produce alternatives and each alternative requires the ability of expertise and high intelligence in diplomacy and negotiation. Therefore, because of this social security perspective is needed in managing social conflict due to mining so that the settlement and handling of the peaceful method can be achieved.

In addition, slow intervention and handling intervention will cause damage to people's lives in the form of damage to social harmony, limited living space, cracking of social group unity, and to the loss of lives. Of course, these conditions are not cold, so an

analysis of community conflict management with mining is needed in the perspective of social security. This is reinforced by Dahrendorf's opinion, seeing that the social structure is a form of organization that is carried out together through continuous pressure and coercion so that it eventually surpasses itself with an understanding that under pressure itself will bear resilience with no change unrelenting [18]. This means that social resilience with a social structure perspective has the ability to manage social conflict in a positive direction.

As the ontological description of the above problems, it is necessary to have a rare approach to handling and solving the problems that arise so that the researcher raises the formulation of this research problem, it is How to Manage conflicts between communities and mining companies in the perspective of social resilience which refers to the background and formulation of the problem, therefore, the research problem is formulated as follows: (1) What is the conflict between the community and the mining company? (2) What is the conflict management model between the community and mining companies in the perspective of social security?

RESEARCH METHODS

Types of research

The research method in this study uses qualitative research with a type approach case study. Case studies are taken, because this research involves several stakeholders from interest groups, and therefore the analysis is not only on certain specific actors, but also concerns the social structure and management of mining and local government.

Location and Research site

The location of this research is in the mining area of PT AdidayaTangguh in Lede sub-district, PulauTaliabu District. Why this area determined as the object of research was is because the cases to be studied were in this area. As explained earlier, this region is an area of "conflict". This research problem is in the form of conflict due to mining activities, which is a case that attracts a lot of attention in the middle of development as a third world country that tends to rely on natural resource management. Based on the results of the WALHI of Malut Island Taliabu which used to be within the territory of the Sula archipelago district, was larger licensor of mining business than other districts in the North Maluku Province and

currently the Taliabu Island Regency as a new administrative area as a separate Regency from the parent Regency of the Sula Islands Regency.

Researchers have planned research sites at specific places to collect research data either by observation and or interview. The research sites are the community around the mine (NGOs and villages), the mining office of PT AdidayaTangguh and the Mining Agency of PulauTaliabu Regency as well as other relevant places.

Research focus

Relevant with the research problems that have been formulated previously, the focus of this study is as follows: (1) Conflicts between the community and mining companies, as seen from; the existence of conflict between communities around the mine and the company, the type of conflict, and the factors causing the conflict. (2)

Management Model the management and handling of conflicts between communities and mining companies in the perspective of social security, seen from; conflict management strategies, conflict management approaches and conflict management models.

Data collection technique

In this study data collection was carried out through observation, interviews and document searches. The process of data collection is done in a natural setting because the main informant (data source) is human, so researchers put forward the approach of humane methods. Of course, by making informants the focus of research subjects so that researchers' assumptions that data sources can provide a variety of responses from responses, adjusting both the response to researchers and the conditional focus of the problem.

Data analysis

In this study, data analysis was carried out continuously both at the time of data collection and after completing data collection. As quoted [19], according to Miles and Huberman that activities in qualitative data analysis are carried out interactively and take place continuously until completion, so that the data is already saturated. Activities in data analysis are data reduction, data display and conclusion drawing / verification. The steps in data analysis in this study are as follows:

- Data reduction. In this process the data obtained by researchers summarize and sort it out to be simplified according to the focus of the study so that it is easy to present and obtain temporary conclusions.

- Data Presentation (data display). The reduced data is further arranged according to the like category in the form of narrative text so that the data is more organized so that it is easy to understand the development of the data.
- Draw conclusions and verification (conclusion drawing/ verification). compile a proposition from data that has been reduced and presented so that it can answer the research problem in the form of the final conclusions of this study.

RESULTS AND DISCUSSION

Conflict between Society and Mining Companies

The conflict between the community and the mining company has been identified based on the results of research consisting of several topics. First, the discussion of the existence of community conflict with the company; Second, discussion of the types of conflicts that exist in communities around the mine; Third, the discussion of the causes of conflict between the mining community and the mining company (PT. Adidaya Tangguh). The discussion as follows:

Existence of Conflict

The existence of conflict is an analysis step to show the existence of existing conflicts so that the objectivity of the conflict can be understood. In this case the existence of conflict between the community and the mining company (PT. Adidaya Tangguh). Because according [20], that the view of contemporary conflict considers conflict inevitable because optimal organizational performance requires moderate conflict. So that conflict can be managed so as to produce moderate conflict output. therefore objectification of the existence of conflict is very important because it really determines how conflict management will be.

Based on the research results Conflict between the community and the mining company began with the presence of PT. Tangguh Superpower on Taliabu Island in 2009 when the community held a demonstration against the company's heavy equipment. Even though the existence of PT Adidaya Tangguh on Taliabu island had been a year before. PT Adidaya Tangguh has obtained an exploration mining permit (IUP) since 2008 in Pulau Taliabu, which was then still in the administrative area of the Sula Islands Regency. The wave of protests only appeared in 2009 after company activities began to be seen with the presence of heavy equipment to be unloaded in the tikong village.

As the community conflict with PT. Tangguh Superpower continues, the emergence of conflict in the form of the presence of protests in the form of demonstrations even the demonstration had ended in riots in the area of the community around the mine. Based on the results of the conflict intensity research that was quoted from [21], where the actions of rejection by the community related to the activities of PT. Tangguh Superpower has been carried out 42 times. The climax, February 23, 2017 was when a clash involving the people of the Taliabu Islands with security forces, shortly after the community completed the action in front of Port Gambose (the entrance of the company) to demand the closure of PT. Tough Superpower. In that incident, 10 residents were named as provocation suspects.

The occurrence of open conflict to cause victims from the community does not actually cause the community to stop but protest actions continue in the form of demonstrations. As the results of the study showed a demonstration on May 22, 2018, with the theme of the mass urging of PT Adidaya Tangguh WIUP in pulling out. The action was held in front of the Regent of Pulau Taliabu's office. Then the action on Monday 8 April 2019 demonstration took place in front of the State Palace. Residents who demand the loss of citizens from activities. And in the year 11 2019 in the mining area there was a protest in the form of the establishment of an adat bar.

Types of Conflict

Because the conflict between the community and the company involved three conflict actors in the community area around the mine. so that the types of conflicts that occur in the community areas around the Pulau Taliabu mine mine based on the results of the study are categorized into two types of conflicts, namely First, conflicts between social classes where there are differences in interests and views about natural resources (natural resources); and Second, political conflicts where there is a conflict with the government regarding the policy of natural resource management activities by PT Adidaya Tangguh.

Causes of Conflict

Based on the results of the study, it was found that the causes of conflict between the community around the mine and the mining company (PT. Adidaya Tangguh) were classified into several causes, namely poor socialization, lack of disclosure of information on mining management, differences in interests, the emergence of impacts in the form of loss and loss of community production land and

environmental damage (flooding and pollution of the river) and land compensation and unresolved impacts.

Community Conflict Management Model with Mining Companies in the perspective of social security.

Conflict between the community and the mining company based on the results of the study shows the existence of conflict that continues to take place in the area of the community around the island of Taliabu. According [22], conflict management is a process of parties involved in a conflict or a third party devising a conflict strategy and applying it to control the conflict in order to produce the desired resolution. As the definition of conflict management is so that to see how conflict resolution can be achieved it is seen based on the perspective of social resilience.

In the perspective of social resilience. As quoted [23], according to Kartono that social resilience is the ability of people to survive and recover from various pressures such as environmental changes, social upheaval, economic or political. As is the conflict that occurred in the area around the mining community of Taliabu Island Regency due to environmental, social, economic and environmental changes. where the entry of the company PT. Tangguh Superpower is changing the pattern of cult and environment and socioeconomic community so the need for conflict management to restore and restore the state of society in accordance with existing developments.

It has been revealed in the research focus section, the conflict management model between communities and mining companies is identified based on the results of the study through two main points. First, the style of community conflict management around the mine and the company. In this section the researcher takes focus on how the conflict management style occurs. Second, the approach pattern. The focus of this section is on how to identify patterns of conflict management approaches in resolving conflicts.

Conflict Management Style

Conflict management style is one of conflict model management to see how the parties involved in conflict manage conflict to produce conflict resolution from both parties. The resolution can benefit or represent both parties and vice versa is actually beneficial and represents the interests of one of the parties involved in the conflict.

As Based on the document of the decision of the Regent of Sula Islands Number 02 / IUP-OP / DPEKS / 2009 concerning the approval of an increase in the production operation mining permit (IUP) to PT. Tough Superpower. since obtaining a permit and landing its equipment the company in 2009 has received protests in the form of demonstrations. Then it continues to the present as data quoted from the independent voice bulletin that there have been 42 demonstrators twice and the peak in 2017 which caused physical conflict (riots). But the demonstration did not stop there, there were still demands from the community in the form of demonstrations and mediation efforts carried out by the community although it was not effective enough because facing companies that continued to suggest to resolve through legal channels this was certainly the use of competition conflict management style.

Conflicts that occur in the form of social conflicts involving the community with the company (PT. Adidaya Tangguh) in the interests of accessing natural resources. then the social conflict also did not stand alone but was followed by a political conflict involving the local government and the community in differing views on the existing mining business permit policy. Thus the style of conflict management can be seen from the dynamics of the three actors.

Because of PT. AdidayaTangguh has a mining business permit issued by the local government so that the company then feels that it has fulfilled all its obligations in fulfilling a mining business permit. So that in responding to conflicts that arise, the conflict management style used is the competition style as quoted from Wirawan (2016; 140) the reason for the parties to the conflict using the conflict management style of competition is because they feel they have the power and other resources to impose something on their conflict opponents. as the PT. Tangguh Tangguh said that the company did not try to solve the existing problems and submitted to the provisions of the applicable law if the community claimed customary land and the company violated, please prove using the facilities provided by the state.

Based on the results of research that the use of power and power from the company, seen in the activities and protests of the community that was not responded to properly even using security forces in dealing with the community. Then the community feels unable to deal with the company by using legal channels because the community feels they do not understand about solving the problem by bringing it to the legal route not to mention the local government is not involved or assisting the community in handling existing problems.

2. Pattern of Conflict Management Approach

As the results of the pattern of approaches in conflict management between the community and the mining company (PT. Adidaya Tangguh), that is the pattern of approach to settlement through negotiations between the two parties but did not meet an agreement between the two. Where the initial negotiation was when the community around the mine asked the company to come down to the community to explain the purpose and purpose of its existence.

Then in carrying out its activities because the community does not know anything about the company's activities. Before the company carries out land-cleaning activities on the land (plants) the company community conducts an investment first to be conveyed to the landowners (plants). But then in the negotiation process there were people who did not agree with the price given but the company continued to carry out land cleaning activities even though it was intercepted by the land owner. The negotiation effort in the procurement was constrained by the price agreement. So that the community land and plants were unilaterally removed. then the company resumed negotiations after the plants were evicted or leand cleaning. Of course this happened after the community protested in the form of demonstrations.

So then there is a mediation effort initiated by the mining community coordinator with the company but the mediation process was not running because the community did not accept mediators from the local government.

Because the mediator was rejected by the community, the community chose or entrusted the existing non-governmental organizations to complain or involve to LBH PBNU. Previously, several times the community asked for help from the North Maluku NGO, but according to them it was not effective enough to represent their interests. so that the community complained and involved to LBH PBNU in its position as a conciliation institution. where the presence presents a discussion pattern between the two parties and decisions between the two parties can be clarified.

After the existence of a conciliation institution conducted by the PB NU legal aid agency, it got results where the company was often interested in clarification from *MENSENEG* regarding problems that occurred due to company activities that caused conflicts in the community around the mine. But then in the reconciliation process repeatedly the community made another

new movement outside the conciliation activities carried out by LBH PBNU. Of course the exit of the community because of the possibility to reach the desired conflict resolution was not reached.

Based on this information, there is the potential for the community to use other approaches in the effort to manage conflict, and no longer use counseling methods. If we look at the stages of the pattern of conflict management approaches that occur namely starting from negotiations but less effective than mediation that does not occur and finally conciliation even though there is potential for this pattern is not effective and efficient enough because it does not demand the possibility of not being trusted or abandoned by the community.

As quoted from [24] that the ADR system is broadly categorized into four, the four categories include negotiation, mediation and arbitration. So the last resort that must be taken is through the arbitration approach because some approaches do not meet the intersection of the two parties and conflict resolution is not reached. the unresolved conflict certainly causes vulnerability to social resilience.

CONCLUSION

Based on the results of data analysis and discussion in the previous chapter, several conclusions can be drawn as follows:

- Conflict between the community and the mining company consists of several subjects. First, the existence of community conflict with companies in the form of ongoing demonstrations, second, the types of conflicts that exist in society consist of conflicts between social classes and political conflicts; Third, the causes of conflict between the mining community and the mining company (PT. AdidayaTangguh). Here are the form of inadequate socialization; lack of disclosure of Mining Management Information, Differences in Interest, Impacts in the form of loss and reduction of community production land and environmental damage in the form of floods, river water pollution and uncontrolled Impact Compensation.
- The model of conflict management between communities and mining companies in the perspective of social resilience, is identified based on two main points. First, the community conflict management style around the mine and the company by using the competition conflict management style so that conflict is increasing while local governments use the conflict management style to avoid because of the lack of attention and local government policies related

to the conflict. Secondly, the pattern of community conflict management approaches around the mine and the company, as for the styles applied in negotiations, mediation and conciliation that have not been effective, so that an arbitration approach in conflict resolution is needed so social security can be achieved.

In closing this research on Conflict Management Between Communities and Mining Companies in the Social Security Perspective based on several basic points on the results of discussions and conclusions, theoretic suggestions and implications that can be recommended are as follows: (a) State administrators, both at the central level and regions carry out bureaucratic reform that is able to guarantee mining management by minimizing social conflict. (b) The mining service and related services, both in the district / city government, the results of this study are expected to be the basis for making policies to overcome social conflicts due to mining activities. (c) Mining companies in creating systems that are able to reach and protect the community so that problems in the community are handled more quickly.

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