



SUSTAINABLE MANAGEMENT OF MUKIM CUSTOMARY FORESTS IN ACEH JAYA DISTRICT: AN ANALYSIS OF THE ROLE OF IMUEM MUKIM

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ABSTRACT

Abstract: In Aceh, there are currently many differences of opinion regarding whether or not mukim should be treated as members of the customary law community in terms of monitoring customary forests. In the context of the country as a whole, mukim are only recognized in the Aceh government structure, while in Indonesia their existence is not recognized. Therefore, a number of parties oppose the authority of mukim in managing Aceh's customary forest land. The purpose of this study was to determine the role and authority of Imuem Mukim and the challenges of sustainable customary forest management in Aceh Jaya Regency. The methodology used was qualitative descriptive, and data collection was carried out through documentation, interviews, and observations. The steps taken in data analysis were data reduction, data presentation, and drawing conclusions. The results of the study showed that Imuem Mukim Panga Pasi and Imuem Mukim Krueng Sabee, who each act as customary leaders and government leaders, have not implemented sustainable management of Aceh Jaya's mukim customary forests. The challenge faced is the lack of community understanding of the importance of the duties and authority of Imuem Mukim in managing mukim customary forests in Aceh, especially Aceh Jaya.

INTRODUCTION

In Indonesia, recently the movement to recognize customary forests and the rights of indigenous peoples over forest areas has reached its peak. This momentum marks the first recognition in Indonesia of indigenous peoples' traditional management of their forests (Wibowo, 2019). Eight customary forests located in three districts in Aceh have been legally recognized by the Ministry of Environment and Forestry (MoEF) of the Republic of Indonesia. The three regions are Aceh Jaya, Bireuen, and Pidie. In Aceh Jaya, two mukim, Krueng Sabee and Panga Pasi, have customary forests covering 17,886 hectares.

A government institution called Imuem Mukim, the official government of Aceh Province, has the authority to oversee, participate in and manage village development at the mukim, gampong/village and kecamatan levels. It is important to note that Imuem Mukim and Keuchik/village heads are key players in the development of gampong governance in Aceh, although their roles and functions in realizing this are still not ideal. In addition, to monitor and provide feedback on the implementation of gampong development in Aceh, the cooperation of all relevant stakeholders is required, including district and sub-

district governments (executive and legislative), non-governmental organizations (NGOs), and community leaders (Alianur and Putra, 2020).

Legally, the existence of Imeum Mukim is recognized and authorized by positive legislation, but this recognition is not consistent and harmonious in practice. That is, the existence of mukim, along with all the political symbols of sovereignty associated with mukim, is recognized *de jure*. More importantly, mukim are not only recognized as government entities that exercise their authority as customary holders, but also play a more active role in the strategic development and implementation of the village governance system in Aceh.

There is currently a heated discussion about whether or not to recognize mukim as subjects of customary law communities in the regulation of Aceh's customary forest areas. From a national perspective, the Aceh government structure is the only one that recognizes the existence of mukim, while the Indonesian government structure does not. As a result, some have questioned the mukim's authority to manage Aceh's customary forest areas, and it is feared that this will lead to chaos and disputes between the mukim government and customary law communities.

With his ability to solve problems at the mukim level after they have been unsuccessfully addressed at the village level, Imuem mukim has a very important role in Acehnese society. After that, Imuem Mukim makes village or mukim regulations to advocate and socialize the prevention of environmental pollution. Customary law also has philosophical, sociological, and legal authority, so it includes customary regulations and prohibitions in considering environmental pollution (Syahbandir et al., 2021). The role of Imuem mukim in the management of Aceh Jaya's customary forests needs to be explained in more depth because there are several ways to understand the concept of customary forests in the context of community life.

This research study is important because the development of customary forests provides new hope for indigenous communities in Aceh Province to obtain a sustainable economy. Sustainability considerations become important when utilizing customary forests for multi-party commercial ventures. Therefore, in this case, strict laws and supervision are necessary. Policies and initiatives relating to education, health services, and their rights as citizens should be in line with their needs and living conditions to achieve this goal. The Department of Environment and Forestry should conduct meetings with customary leaders, such as the mukim who have been given the authority to regulate their areas, to design regulations that are in accordance with local community wisdom.

The search did not find a comparable study, or at least not in the last ten years, regarding the role of Imuem Mukim in the management of mukim customary forests. The previous research that is relevant and related to the problem under study, namely, according to Sarlito Wirawan Sarwono in his book entitled *Theories of Social Psychology*, explains role theory as work expectations and certain rules in influencing one's behavior. Biddle and Thomas proposed five indications of role behavior, namely: expectations, norms, performance, evaluation, and punishment (Sarwono, 2008). The study "Local Wisdom-Based

Forest Management and Village Forest Development in Mukim Lutueng, Mane Sub-district, Pidie District, Aceh Province” by Mardhiah, Supriatno and Djufri, (2016) examined the values of local wisdom of Qanun Mukim Lutueng in the forest management system, as well as the potential for village forest development in Mukim Lutueng and community perceptions and attitudes related to forest conservation. This study does not discuss the function of *Imuem Mukim* in customary forest management, but provides a glimpse of village forest development and customary forest management based on local wisdom in Mukim Lutueng. In addition, a study entitled “Socialization and Legal Counseling on Local Wisdom-Based Forest Management in North Aceh District” examines the role of customary institutions and village officials in forest management and builds an intensive communication network between these groups and the sub-district leadership deliberation (*muspika*) to collaborate in forest preservation and protection. The function of *Imuem mukim* in mukim customary forest management was not explained by Yulia and Herinawati (Yulia and Herinawati, 2022). Environmental communication planning for the preservation of the Kenegerian Sentajo protected forest in Kuantan Singingi Regency is reviewed in the research paper “Environmental Communication Strategies in Protected Forest Preservation among Indigenous Peoples in Kenegerian Sentajo, Kuantan Singingi Regency.” Customary forest management practices in indigenous forest communities are not discussed by Rahmadi, Noor Efni Salam and Zulkarnain (Rahmadi, Salam and Zulkarnain, 2022).

Furthermore, Muhammad Ihsan Ahyat et al.'s research, *The Role of Mukim in Aceh's Development*, discusses the main role of mukim as a mediator between the Sultan and the people. The position of mukim has a very strategic position for the development of Aceh (Ahyat *et al.*, 2020). Then, Azmi et al. in their research on the Effectiveness of Mukim's Role in the Government System in Aceh Singkil District, discuss the existence of *Imeum Mukim* which is confirmed and recognized in positive law, but *de facto* the recognition is uneven and harmonious. Legally-normatively, the existence of mukim with the political symbol of sovereignty attached to mukim is recognized *de jure* (Azmi, Kusmanto and Isnaini, 2020). Lia Sahfitri Saraan's, (2023) study in her thesis *The Role of Mukim in Resolving Land Boundary Disputes in Silang Cadek Settlement, Baitussalam District, Aceh Besar Regency According to the Concept of Shura* strengthens the role of *Imuem Mukim* as a social mediator and the main decision maker in resolving conflicts so that decisions taken in the future can be taken in a way that resolves the problem and provides all the information needed. The research study “Examining the Existence of Mukim in Aceh (Historical, Sociological and Juridical Approaches)” examines the role of mukim and *gampong* in providing expertise related to the control and management of customary forests in their areas. One aspect of this is implementing customary forest management. However, the previous study only provides a cursory overview of the origins of mukim (Zainuddin, 2019). Finally, the study “The Effectiveness of Community Shared Forest Management as Forest Resource Conflict Resolution” examines dispute resolution methods applied as part of community shared forest management as well as the efficiency of this approach in managing conflicts involving forest resources. This research is similar to that of Arifandy and Sihaloho,

(2015) which also discusses customary forest management. The role of *Imuem* mukim in sustainable customary forest management is the subject of the novelty of this research. Nonetheless, this study provides information on customary forest management. However, the role played by *Imuem* Mukim in customary forest management is not explained.

Based on previous research, the author found that the role of *Imuem* mukim in the sustainability of customary forest management is generally seen in terms of its existence, mukim in local wisdom, governance and roles in other implementations. Although there are similarities between this research and previous studies, the studies are different. Considering that the authority of the mukim is the highest in the management of mukim customary forests, this research offers innovation, especially regarding the role and existence of this authority. Therefore, research that answers questions about the role of *Imuem* mukim in sustainable customary forest management in Aceh Jaya District is very interesting. Researchers highlighted the benefits of *Imuem* mukim in Aceh Jaya.

METHODS

Qualitative method is a process of research and understanding that looks at human problems and social phenomena using certain techniques (Haradhan, 2018). Because the author's research is focused on understanding how *Imuem* Mukim's role in managing mukim customary forests in Aceh Jaya Regency, the author uses qualitative and descriptive methods. The data sources of this research consisted of two primary and secondary sources. Primary data used were interviews with government officials of Mukim Panga Pasi and Krueng Sabee and stakeholders involved in customary forest management. Secondary data is a collection of information collected from sources other than primary data (Shidiq and Choiri, 2019). Observation at the research location, interviews with various related parties who know the research being conducted, and documentation in the form of written materials, illustrations, films, photographs, and so on are methods used to collect data (Sugiyono, 2017). Data reduction, data presentation, and conclusion/verification are three streams of activities that occur simultaneously which constitute analysis, according to Miles & Huberman (Miles, Huberman and Saldana, 2018).

RESULT DAN DISCUSSION

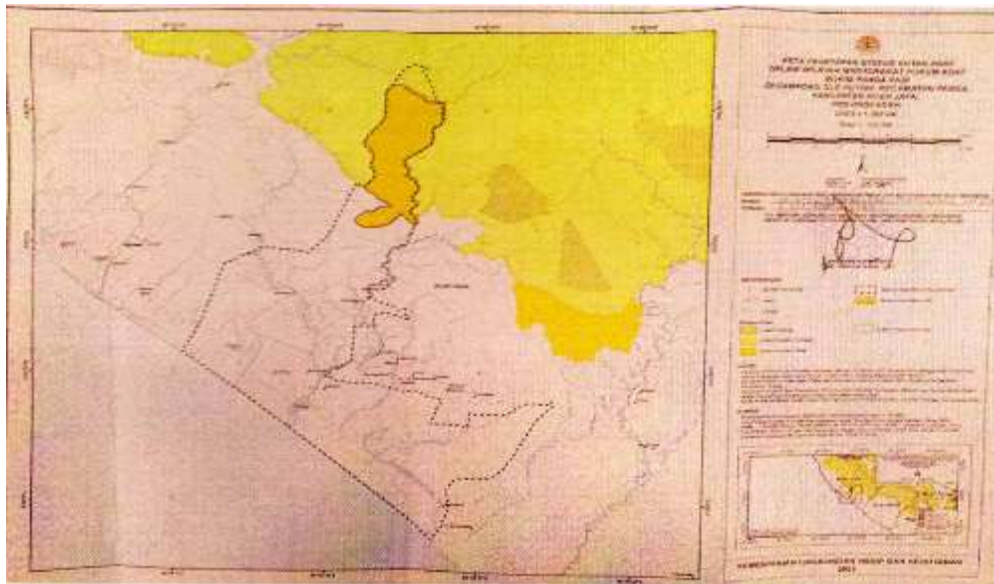
The Role of *Imuem* Mukim in the Sustainability of Mukim Customary Forest Management in Aceh Jaya

Aceh's customary law was revived through Law No. 11/2006 on the Governing of Aceh. This law is also the basis for the establishment of the Qanun on Gampong Government and Qanun on Mukim Government, which not only regulates the independence and governance of Gampong in its management, including the management of its natural resources, but also the recognition of Mukim and Gampong (Melisa, 2016). Since the Constitutional Court Decision No. 35/PUU-X/2012, which distinguishes customary forests from state forests, mukim can manage their customary forests. Mukim controls its entire territory, including the sea, which forms the basis for the management of the Mukim Customary Forest. Mukim is responsible for the following species on land: uteun rimba, sawang, sarah, tanoh jeut, paya,

panton, and padang regarding Mukim's jurisdiction (also known as Uteun Mukim or Glee Mukim) over the forest in its territory. Within the local Mukim community, each Mukim Forest (Uteun Mukim) has a unique name.

The Ministry of Environment and Forestry of the Republic of Indonesia has issued a Decree on the Determination of Mukim Customary Forest Status to the Aceh Jaya District Government, which was handed over directly by the President of the Republic of Indonesia, Joko Widodo on Monday, September 18, 2023, at the Gelora Bung Karno Main Stadium in Jakarta (Suar, 2023). The Customary Forest Decree stipulates the boundaries of the mukim area in Aceh Jaya Regency, including:

- 1) Mukim Panga Pasi, based on the Decree of the Minister of Environment and Forestry of the Republic of Indonesia Number: SK. 9524/MENLHK-PSKL/PKTHA/PSL.1/9/2023 concerning Determination of Customary Forest Status in the Territory of the Indigenous People of Mukim Panga Pasi, dated September 07, 2023, with an area of $\pm 1,282$ (One Thousand Two Hundred Eighty Two) hectares in Gampong Gle Putoh, Panga District, Aceh Jaya Regency, Aceh Province with a production function.



Picture 1. Map of Mukim Panga Pasi Customary Forest Area
Source: Processed by the Author, 2024

- 2) Mukim Krueng Sabee, based on the Decree of the Minister of Environment and Forestry of the Republic of Indonesia Number: SK. 9525/MENLHK-PSKL/PKTHA/PSL.1 /9/2023 concerning the Determination of Customary Forest Status in the Territory of the Indigenous People of Mukim Krueng Sabee, dated September 07, 2023, with an area of $\pm 4,155$ (Four Thousand One Hundred Fifty Five) hectares in Gampong Panggong, Krueng Sabee District, Aceh Jaya Regency, Aceh Province, including ± 677 (Six Hundred Seventy Seven) hectares of protection function and $\pm 3,478$ (three thousand four hundred seventy eight) hectares of production function.

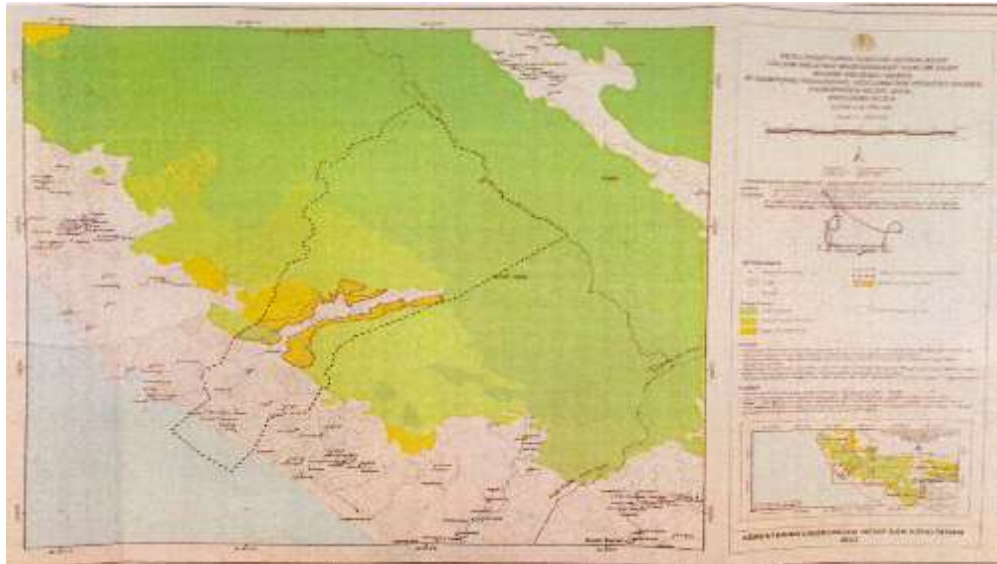


Figure 2. Map of Mukim Krueng Sabee Customary Forest Area
Source: Processed by the Author, 2024

Based on the description above, it is clear how the mukim and gampong areas are positioned in relation to the proposed establishment of mukim customary forests. Since 2019, when Regent Irfan TB and Vice Regent Tgk. Yusri Sofyan took office, the two mukim have been proposed for management licenses. Mukim is a customary law community in Aceh that has the authority to govern, resolve disputes and control the management of its customary forest. Mukim has its own legal system and local wisdom in controlling the management of its customary forest, namely recommendations and taboos, institutions, and cultural customs. Basically, the establishment of a District/City Qanun on Mukim Government is important, which confirms the recognition of the existence of mukim customary forests, that it is necessary to revitalize and strengthen the mukim government led by Imeum Mukim and customary forest institutions led by Pawang Uteuen by issuing mukim-based forestry policies.

According to Aceh Jaya District Qanun No. 4 of 2011 concerning Mukim Government, Mukim is a legal community unit under the Sub-district. Mukim is led by Imuem Mukim and is responsible to the District Head. Mukim consists of several Gampong that have different geographical boundaries. The three components of the mukim governance system - the uteun (forest), keujruen blang (rice field shaman), and panglima laot (sea) - were brought over from the kingdom of Aceh (Al-Yahya, 2019). Acehnese mukim communities continue to manage forests in accordance with customary law. Imuem Mukim has an important role in strengthening Aceh's local wisdom, which is a set of customs that has evolved into a morally-driven social structure that aims to maintain harmony between nature and humans, which ultimately ensures the sustainability of the mukim's natural resources (Muzakir and Ibrahim, 2017). Mukim Customary Forests are managed by the Mukim Government, with permission from the Mukim Consultative Body, through the Panglima or Pawang Uteuen. Planning, implementation, utilization, and supervision are some of the tasks that require efficient and effective management to increase the income of the Mukim Government.

The role of *Imuem Mukim* in customary forest management in Aceh Jaya is: First, Planning, the Regent of Aceh Jaya approves plans made by the Mukim Government and the forestry office with input from the Mukim Consultative Body. On Thursday, June 27, 2019, in Jakarta, the Aceh Jaya District Government submitted the proposed customary forests of Mukim Krueng Sabee and Mukim Panga Pasi to the Ministry of Environment and Forestry (MoEF). The purpose of the proposal is to protect and preserve customary forests which are one of the assets owned by the entire community. Maintaining the supply of food, medicine and water for the entire mukim community is another goal (Randi, 2019). The proposal became the main factor for the Aceh Jaya district government in initiating the birth of the Aceh Jaya District Qanun Number 5 of 2017 concerning Mukim Customary Forests, the Aceh Jaya District Government is also committed to the community to fortify the mukim customary institutions within its territory. Second, Implementation, The utilization plan of Mukim Customary Forest and Aceh Jaya District Qanun Number 5 of 2017 concerning Mukim Customary Forest are taken into consideration in its implementation. In terms of implementation (Syahroni, Pribadi and Suranto, 2023), there has been no follow-up to the management of the two previously established mukim customary forests as mandated in the decision of the Indonesian Ministry of Environment and Forestry in the form of strengthening mukim institutions by the Aceh Government, Aceh Jaya District Government, and Aceh Customary Council (MAA) of Aceh Jaya District. However, coordination in mukim customary forest management between the mukim customary institution and the *Gampong* customary institution has been carried out well, resulting in a program to establish mukim customary forest managers in both mukim. The following is the structure of the mukim customary forest managers in Aceh Jaya District:

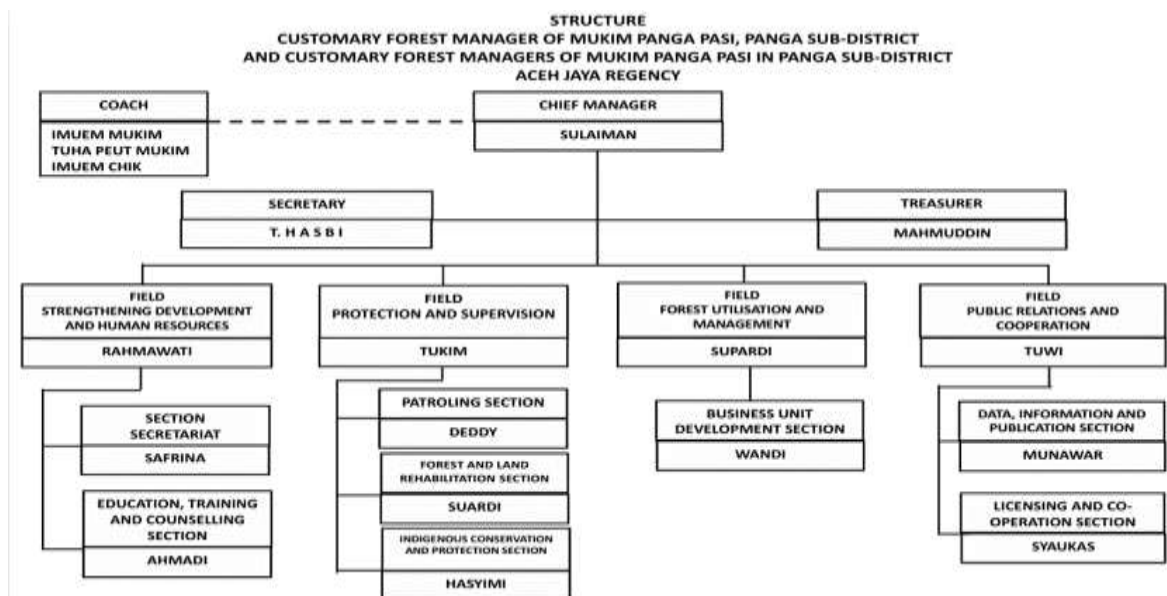


Figure 3. Customary Forest Management Structure of Mukim Panga Pasi and Mukim Krueng Sabee
Source: Processed by the Author, 2024

Therefore, the role of *Imuem Mukim* is very urgent in maintaining existing wisdom so that the sustainability of natural resources is maintained. Third, Utilization of Aceh Jaya customary forests in the

form of activities, utilization of the area, including nature tourism, plant and / or animal breeding, and research. Nature tourism activities include: (a) accommodation, such as tourist lodges, cottages/villas, and campgrounds; (b) water sports, hang gliding, hiking, outbound, and others; (c) cultural tourism facilities; (d) souvenir/food stalls, performance stages, restaurants/dining houses, parking lots, and other facilities, (f) tourist transportation; and (e) freshwater swimming pools. Collection of timber and non-timber forest products, Non-timber includes (a) resin group, gaharu, rubber, and others; (b) game animals that are not protected by laws and regulations; (c) rattan group; (d) seeds; (e) bark; (f) essential oils; (g) swallow nests and honey. Environmental Services are the results of the natural environment of conservation areas that can be in the form of fresh air, water, natural beauty, and uniqueness that can be seen, touched, and smelled, which can provide comfort for humans. Fourth, **Supervision**, Customary forest organizations such as Peutua Seuneubok, Panglima Uteun, Panglima Gle, Pawang Gle, and Pawang Uteuen are responsible for supervision.

Imuem Mukim cannot determine all options in terms of customary forest utilization and management in each mukim area. The decisions and consensus of the Mukim Consultative Body become the basis for the management and utilization of customary forests. The Mukim Consultative Body, which consists of Imuem Mukim, Mukim Secretary, Imuem Syiek, Tuha Peut Mukim, Keuchiks in the mukim, Keujreun Blang, Panglima Gle, Peutua Seuneubok, and Keujreun Krueng, is responsible for the cooperative management of customary forest (Mansur *et al.*, 2024). The utilization of the mukim's customary forest is adjusted to the status of the forest as determined by the state. The forest is collectively owned by all indigenous people living in the mukim.

It is intended that with Imuem mukim managing Aceh Jaya's customary forests, other customary institutions will become financially independent and mukim institutions will be strengthened more effectively. to give the impression that Imuem mukim is a strong and independent customary organization capable of advancing the future development and welfare of the people of Aceh Jaya. Aceh Jaya can now regain its identity, which is said to reflect the quality of Aceh Jaya and its people, thanks to the implementation of the Aceh Jaya Mukim Customary Forest Qanun (which was upheld by the MoEF ruling). People will gain a deeper understanding of political life if we continue to elect quality leaders. In addition, Aceh Jaya's uniqueness can attract visitors from other regions to come to the area to see its customs, culture and government system.

Imuem Mukim's Challenges in Sustainable Management of Mukim Customary Forest in Aceh Jaya

Several factors are the primary challenges Imuem Mukim faces in managing the customary forest of mukim in Aceh Jaya, according to research done by researchers in Mukim Panga Pasi and Mukim Krueng Sabee. Imuem Mukim Panga Pasi and Imuem Mukim Krueng Sabee encounter difficulties in implementing the powers, responsibilities, and operations of the Mukim government in compliance with current laws due to the prevailing obstacles.



Figure 4. Imuem Mukim's challenge in managing Aceh Jaya's Mukim Customary Forest
Source: Processed by the Author, 2024

Based on the figure above, these challenges are as follows: Institutional Structure and Management, The absence of official legality from the government and a standardized management structure in the structure and management of the mukim institution is a challenge for the mukim government to be able to carry out its obligations, powers and functions effectively. Mukim Siem's governing institutions now face fundamental and significant problems. Administrative and financial systems, Mukim governments in Aceh still use customary administrative systems, meaning that they still use closed management, administration is disorganized, careful and measurable planning does not exist, and the various activities carried out and the overall management process of customary institutions are not evaluated. District/city and provincial governments do not provide definitive assessments. As a result, mukim institutions do not have sufficient operational funds to carry out their roles and authorities effectively. Government Participation, Mukim governments have not benefited from the full involvement of the central, provincial, and district/municipal governments.

Community Contribution, the sustainability of mukim governance institutions is threatened by the absence of community involvement. This is because the fabric of community life is its foundation. Community ignorance of Imuem Mukim's responsibilities and authority is the biggest challenge for *Imuem* Mukim. The acceptance of mukim as subjects in the management of customary forest areas is still a matter of debate within the Aceh Jaya customary law community. For Aceh Jaya district, the establishment of customary forest status has two implications. First, it recognizes that the mukim, especially in Aceh Jaya, are indigenous peoples. Second, it gives indigenous communities the authority to manage forest land, so that they can utilize and benefit from the natural resources within it.

Imuem Mukim is responsible for supervising, controlling, and regulating the use of customary forests among the mukim community. Therefore, any decisions relating to the management, control, regulation and utilization of the mukim's customary forest must be made through a deliberative stage involving collaborative discussions to decide on the management, control and regulation of forest utilization (Mansur *et al.*, 2023).

Indonesia's government structure has no mukim, but Aceh's is the only one in the country with this feature. Consequently, there are people who question the mukim's legitimacy to oversee Aceh's customary

forest regions, and it is anticipated that this matter may cause animosity between local authorities and populations who adhere to customary law in that area (Dore, 2021). All stakeholders need to collaborate in order to solve this issue. It can bolster the conclusions drawn and the degree of advancement in this way.

CONCLUSION

Based on the results of the discussion, the author concludes that *Imuem* Mukim Panga Pasi and *Imuem* Mukim Krueng Sabee, who each act as customary leaders and government leaders, have not implemented sustainable management of Aceh Jaya's customary forests. *Imuem* Mukim is the main component in the management of customary forests in Aceh, although its role and function in implementing customary forest management have not been fully implemented. Support from all relevant stakeholders, including the Aceh Government, Aceh Jaya District Government, MAA Aceh Jaya District, Non-Governmental Organizations (NGOs), and community leaders is also very important as stakeholders who supervise and provide input on the management of Aceh Jaya's customary forests. There are challenges in implementing customary forest management in Aceh Jaya, one of which is the lack of public awareness of the importance of the role of the *Imuem* mukim in such management. Because the community still does not know the function of the mukim institution, the mukim is still considered to have no control over the management of customary forests. Therefore, socialization must be free from political interests and is greatly needed by the government, both the mukim itself, the sub-district government, the district government, and the Aceh government.

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