

Social

Wadas Village Case, Expert: Development Methods Prone to People's Harm

by Lusia Arumingtyas and Nuswantoro on 12 February 2022



- *On February 8, hundreds of police entered Wadas Village, Purworejo, Central Java, and arrested 67 residents of the durian producing village.*

There were many protests over the arrests, on February 9, dozens of people who were arrested were released.

- *Wadas is a village that the government chose as a stone mining location for the construction of the Bener Dam. Some accepted but some refused because they preferred that their village remain sustainable.*
- *Dewi Kartika, Secretary General of the Agrarian Reform Consortium, urged the government to immediately stop development models and projects that are counterproductive to the commitment to the agrarian reform agenda.*
- *Arie Sujito, a sociology expert at Gadjah Mada University, said that development is only a means of*

achieving people's welfare so it should not use violent methods or arresting citizens. Stay away from the New Order's practices in the name of development by silencing people's different voices.

On February 8, the situation in Wadas Village, Purworejo Regency, Central Java, was tense. Hundreds of police officers arrived on motorbikes and cars in full uniform. They raided the roads and entered the houses of residents who refused to mine andesite. This stone material is used for the construction of the Bener Dam. Around 67 Wadas residents were arrested by the police, there were many protests, then they were released on February 9.

Before that, on the evening of February 7, the electricity in Wadas Village went out, and other villages around it were on. In Kaliboto Field, Bener District, Purworejo, Central Java, a number of dark colored tents stood, police troops stood guard. The distance from the field to the Bener Police Station is only two minutes on foot, and a 15 minute drive to Wadas Village.

Tuesday morning, February 8, Uut, a resident of Wadas, and his wife had breakfast at a food stall. Location near Bener Police Station. Uut is active in Gempadewa (Wadas Village Nature Concern Community Movement), which opposes mining in their village.

"While he was seeing the situation there, suddenly several people grabbed him and took him to the Bener Police Station. "His wife managed to escape and returned to Wadas to inform the residents," said Heron from the Wadas solidarity network, reading the chronology of events from Gempadewa, February 9.

10 am. several police cars entered Wadas, while removing banners expressing opposition to mining along the village road. Following were a number of officers by car, motorbike and on foot.

In the video uploaded by the *Wadas Melawan Instagram account*, police officers can be seen entering Wadas Village from various directions.

There is also a short video showing a number of police officers with shields standing in a row in front of the Nurul Huda Mosque, Krajan Hamlet. A number of residents were performing mujahadah in the mosque.

"If you see the viral video, it happened at around 12.00 noon and arrests occurred even at the Krajan Hamlet mosque where residents were praying to get power from Allah, they were also arrested and surrounded," said Heron.

Meanwhile, in the forest, a measurement process was taking place by the BPN Purworejo team.

The police also visited the women who were making baskets and confiscated the baskets and knives - equipment for making containers from woven bamboo.

"They went around every house, and in some houses the officers even entered the house. They seized equipment and arrested residents. In the residents'

nomes there were women, the elderly, and children. In the house traumatized by the police."

Also read: [Wadas Residents Remain, Refuse Mining for the Bener Dam Project](https://www.mongabay.co.id/2021/04/26/warga-wadas-bertahan-tolak-penambangan-buat-%5Brpyek-bendungan-bener/) (<https://www.mongabay.co.id/2021/04/26/warga-wadas-bertahan-tolak-penambangan-buat-%5Brpyek-bendungan-bener/>).



*The Lemosoh stone in the hill that will be mined can be seen in the river in Wadas Village.
Photo: Nuswantoro/ Mongabay Indonesia*

Julian Dwi Prasetia from LBH Yogyakarta, attorney for the Wadas residents who reject mining, said they were taken to the Bener Police Station along with dozens of other residents.

"I was taken to the Sector Police, dozens of people were arrested," he said, February 8.

There were 67 people arrested. Daniel Al Ghifari from LBH Yogyakarta was also arrested, along with Yayak Yatmaka, an artist who has frequently created resistance-themed works since the New Order. Then, the residents were released on February 9.

Based on information, sweeping police officers searched for residents' cell phones which contained recordings of events in Wadas.

Julian was also present at the press conference and said that there was logistical assistance from South Coast farmers to Wadas residents.

Himawan Kurniadi from Walhi Yogyakarta said that currently he is collecting data on residents' logistical needs while inviting them to expand civil society solidarity.

Ganjar Pranowo, Governor of Central Java in Purworejo apologized regarding the incident at Wadas.

"I would like to apologize to the entire community, specifically to the people of Purworejo, specifically to the community in Wadas. Because of yesterday's incident, some people may feel really uncomfortable. "I apologize and I take responsibility," he said at the Purworejo Police Headquarters, February 9.

Inspector General Pol Achmad Luthfi, Central Java Regional Police Chief, said that the Regional Police deployed personnel at the request of BPN to secure the measurements. There are 250 personnel, to accompany 10 BPN teams who are measuring 114 hectares of land, 346 plots.

"We need to equip each team with 20 personnel to be attached to the BPN teams. Because there is a lot to measure, there is a path to it. We will divide it into 10 teams in the hope of speeding up what we do. "There are no thousands of Polda members entering the village, none," said the Regional Police Chief. According to him, it protects the rights of the owners of 346 plots that agree to be measured and 36 plots that still refuse.

"There were no arrests, detentions, etc. "Today we will release it and return it to the community so that measurements can run well."

According to Heron, Wadas' condition as of Wednesday at 15.00 was still tense. Police officers, both in full uniform and plain clothes, were still visible. Many residents choose to stay at home while observing the atmosphere outside from behind the window.

"Since Wednesday morning, police officers have been combing a number of hamlets, re-entering residents' houses. "They raided cell phones, cell phones belonging to residents, without clear reasons and with the owner's permission," wrote Gempadewa's press statement.

HP raids are also carried out on residents outside their homes. Residents only found out about the raid to check the owner's messages and digital activities. Responding to this incident, Dewi Kartika, Secretary General of the Agrarian Reform Consortium (KPA) said that the residents' rejection was not without reason, nor was it anti-development.

This development process, he said, was full of manipulation and violated various laws and regulations, was corrupt and accompanied by violence.

"This incident has led to acts of coercive confiscation of people's land under the pretext of strategic development projects in the national interest," he said.

Also read: [Wadas Residents Reject Hill Dredging for the Bener Dam Project](http://www.mongabay.co.id/2018/04/23/warga-wadas-tolak-pengerukan-bukit-untuk-proyek-bendungan-bener/) (<http://www.mongabay.co.id/2018/04/23/warga-wadas-tolak-pengerukan-bukit-untuk-proyek-bendungan-bener/>)



Wadas Village atmosphere. Photo: Nuswantoro/ Mongabay Indonesia

This, said Dewi, is proof that land acquisition for PSN has had an impact on increasing land confiscation in several areas experiencing agrarian conflict. Based on Law no. 2/2012 concerning Land Acquisition for Public Interest for Development, mining activities are not included in the public interest section. The government refers to Law no. 11/2020 concerning Job Creation and implementing regulations – which are unconstitutional according to the decision of the Constitutional Court –, use a land acquisition scheme for the public interest for mining activities.

The KPA assessed that the government misguided its legal logic and carried out an act against the law. Through Constitutional Court Decision No. 91/PUU-XVIII/2020 which in point 7 decides that the government must suspend all activities or policies that are strategic in nature and have a broad impact due to the Job Creation Law.

Dewi urged the government to immediately stop development models and projects that are counterproductive to the commitment to the agrarian reform agenda.

"The President must ensure that all PSNs do not eliminate people's rights to their land and living space."

Fanny Tri Jamboree, Walhi National Mining and Energy Campaign Manager, strongly condemned the police's actions.

Regarding *quarries* which are mining activities, there should be a mining permit, then land acquisition.

Mahfud MD, Coordinating Minister for Political, Legal and Security Affairs, said that residents' rejection of the construction of the Bener Dam does not affect the legal continuation of the project.

"The refusal of some residents will have no legal effect because there are no legal violations in the development or mining plans for andesite stone in Wadas Village," he said at a press conference, February 9.

Regarding the environment, he also claims there are no problems. "Similarly, the instrument called environmental impact analysis or *amdal* has been fulfilled, there are no problems being violated."

Himawan Kurniadi, Advocacy Division of Walhi Yogyakarta, said that the Wadas community's rejection was because the process was not transparent in making Wadas Village an andesite mining location.

"The appointment of Wadas Village did not involve the community at all from the start."

Beka Ulung Hapsara, Commissioner for Education and Counseling at Komnas HAM, said that Komnas HAM condemns the violent actions of police officers against residents, including legal assistance to Wadas residents.

Komnas HAM is seeking mediation again regarding the andesite mining case in Wadas Village. On January 20, Komnas HAM mediated based on the request of the Governor of Central Java. Residents refused the meeting, asked for direct dialogue with the governor. The request failed, but the land measurement by BPN continued.

Beka said that the information they were given about measurements was only on land owners who agreed.

Based on Komnas HAM data, of the 617 Wadas residents whose land would be mined, 346 residents agreed.

"The information we got is that measurements will be carried out on the land of residents who have agreed. We regret that a case like this occurred and there was an arrest."

Also read: [Protecting Farming Land, Wadas Residents Refuse Stone Mining \(Part 1\)](http://www.mongabay.co.id/2018/09/17/jaga-lahan-tani-warga-wadas-tolak-penambangan-batu-bagian-1/) (<http://www.mongabay.co.id/2018/09/17/jaga-lahan-tani-warga-wadas-tolak-penambangan-batu-bagian-1/>).

Avoid violence

According to Arie Sujito, a sociology expert at Gadjah Mada University, the conflict between the state and citizens in the Wadas case, which started with the plan to build the Bener Dam, which required filling materials, should not involve repressive measures.

"In fact, any kind of development should not be characterized by repressive actions. That's the key point. Therefore there is no reason to use violent methods. "The challenge for leaders is the ability to continuously persuade, and it really requires a process," he said when contacted by *Mongabay* last November 9.

Development handled in ways like this will be detrimental to the people. Moreover, he said, this action was carried out in the democratic era.

"President Jokowi (Joko Widodo) definitely *doesn't* want it that way. I'm sure of that, because that's not the Jokowi government's way."

He appreciated the steps taken by the Governor of Central Java, Ganjar Pranowo, to apologize for the arrest of residents and the incident which caused discomfort to many parties.

According to him, persuasive steps, dialogue and discussions between parties can solve the problem.

"I think once again this has to *cool down* , and whatever it is, don't let there be any more arrests with repression."

Repressive action, he said, would be counterproductive to Jokowi's broad framework that development must be felt by the entire nation and must not injure the people.

"There are still many ways that can be used to dialogue, chat, discuss *together* , what the solution *looks like* . "Regional governments and officials should not be tired of discussions and dialogue, because that is the way of democracy."

Development, he said, is only a means to achieve people's welfare so it should not use violent methods or arresting citizens.

He reminded us to stay away from the New Order's practices in the name of development by silencing the voices of different people.

Also read: [Thousands of Durian Trees Threatened by the Bener Dam Project \(Part 2\)](http://www.mongabay.co.id/2018/09/21/ribuan-pohon-durian-terancam-proyek-bendungan-bener-bagian-2/) (<http://www.mongabay.co.id/2018/09/21/ribuan-pohon-durian-terancam-proyek-bendungan-bener-bagian-2/>).



*One of the roads leads to the land clearing location in Wadas Village. Photo: Nuswantoro/
Mongabay Indonesia*

Environmental crime?

I Gusti Agung Made Wardana, UGM environmental law expert, believes that Indonesian law still has many problems related to protection for residents who want to defend their living space.

"Because through law, living space is reduced to land and attached to the ownership model. "This is problematic because land is only the owner's economic asset so conflicts over defending space are simply seen as land ownership disputes that can be resolved with compensation," he said.

According to him, the land acquisition regime for public purposes does not consider the social and spiritual value of land because this value is difficult to convert into money in the form of compensation. If possible, this will increase land acquisition transaction costs.

"The conflict in Wadas is actually rooted in the way we see the land. The state sees land as an economic asset and is resolved through compensation, while citizens see land as more complex and rich."

Because land is a living space, he said, not only for the owner, but also for non-owners who enjoy the benefits of the land.

In the Wadas case, he considered the initiator to combine *query* mining activities with reservoir construction wrong. By claiming mining as part of a national strategic project, he said, land acquisition also uses a regime 'in the public interest'.

"Even though it is clear that in this regime mining is not included in the category of public interest. This merger also violates the mining legal regime."

He mentioned things that were violated by the project proponents. *First* , because the initiator is a government agency, the state is the one carrying out mining activities. Even though the state as a regulator in the mining business does not have the authority to be a mining operator at the same time.

If this practice is allowed, he said, it will set a bad precedent in Indonesian mining because the state becomes both the regulator and operator.

Second , because it is the state that is mining, the rules in mining law are not used. For example, there is no need for a permit because mining business permits can only be given to business entities.

Third , the mechanism for monitoring good mining practices is difficult to implement as a result of the conflict of interest of the state as both regulator and operator.

Can the government be judged to have committed environmental crimes related to the Wadas case? The man who is familiarly called Igam said that if you use a legalistic understanding of crime, it is difficult to say that.

"If you use a *green criminology* approach , this can be considered an environmental crime because it causes *environmental harm* to nature and local communities."



Video screenshot of police on guard at Nurul Huda, Krajan Hamlet, Wadas Village.

Main photo:

Article published by [Sapariah Saturi](#)

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Original text

Ketiga, mekanisme pengawasan praktik penambangan yang baik sulit dilakukan sebagai dampak dari konflik kepentingan negara sebagai regulator sekaligus operator.

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