

## **Criminalization of Fishermen in Kuala Langkat Village, Tanjung Pura District, Langkat Regency, North Sumatra**

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### **ABSTRACT**

*This article examines the criminalization of traditional fishermen who are defending mangrove forests from conversion to palm oil plantations in Kuala Langkat Village, Tanjung Pura District, Langkat Regency. This conflict reflects the disparity in power relations between coastal communities and corporations supported by some state apparatus. The research uses a descriptive qualitative approach by gathering information from news articles and analyzing legal documents as well as environmental policies. The findings indicate that fishermen who maintain their fishing grounds are accused of damaging plantation facilities and illegally occupying land. This criminalization overlooks the fact that mangrove forests are a primary source of livelihood and ecological protection for the community. The article recommends an ecological justice approach and legal protection for traditional fishermen in coastal agrarian conflicts.*

**Keywords:** Criminalization, Fishermen, Mangrove, Agrarian Conflict, Kuala Langkat, Palm Oil Plantation.

### **INTRODUCTION**

The conversion of mangrove forest functions into palm oil plantations in the coastal areas of North Sumatra has triggered conflicts between coastal communities and private companies that have obtained concessions from the government. In Kuala Langkat village, traditional fishermen are trying to preserve the existence of mangrove forests which serve as their source of livelihood and ecological protection against abrasion and saltwater intrusion. However, these protection efforts have instead sparked criminalization by the authorities. In recent decades, the sustainability of the mangrove ecosystem, along with the lives of fishermen who depend on it, has faced existential threats. The massive and uncontrolled expansion of the palm oil industry in Indonesia, driven by high global market demand and aggressive investment policies, has encroached upon coastal areas, including mangrove forest areas that should be protected. The effort to convert vulnerable mangrove land into oil palm plantation areas has triggered intense and complex agrarian conflicts. Claims over land and resources fundamentally clash between the interests of large corporations and the traditional and communal rights of local communities.

The effort to convert vulnerable mangrove land into oil palm plantation areas has triggered intense and complex agrarian conflicts. Claims over land and resources fundamentally clash between the interests of large corporations and the traditional and communal rights of local communities. In the context of this conflict, fishermen are the most disadvantaged party and are systematically vulnerable to criminalization. Criminalization occurs when the traditional activities of fishermen in preserving, managing, and utilizing mangrove forests, which are an integral part of sustainable livelihoods and community-based conservation efforts, are suddenly deemed illegal or in violation of the law. This practice often happens under the pressure or interests of corporate entities, supported by common legal interpretations or disproportionate

law enforcement rife with interests (WALHI, 2023). This phenomenon not only destroys the economic foundation of fishermen, but also disrupts social order, harms the principles of environmental justice, and critically threatens the sustainability of vital ecosystems.

## **METHODS**

This research uses a qualitative approach with a case study method (Creswell, 2014). This method is chosen because it allows the researcher to conduct an in-depth exploration of the criminalization phenomenon of fishermen in the specific context of Kuala Langkat Village, as well as to understand the complexity of interactions and power dynamics among various actors involved. The cases of criminalization affecting fishermen in Kuala Langkat Village are directly related to their struggle to protect the mangrove forests from oil palm plantation expansion. In addition, the unit of analysis also includes corporate policies and practices as well as government responses. The collected data will be analyzed using thematic analysis (Braun & Clarke, 2006), which allows for the systematic identification, analysis, and reporting of patterns (themes) within the qualitative data.

## **RESULTS AND DISCUSSION**

### **Mangrove Ecosystem in the Grasp of Palm Oil Agribusiness**

This sub-chapter will open with an in-depth view of Kuala Langkat Village, highlighting the ecological and economic dependence of the community on mangrove forests. The history of mangrove utilization, local wisdom in resource management, and the identity of fishermen tied to this ecosystem will be elaborated. Furthermore, the discussion will shift to the root causes of agrarian conflicts. It will explain how the mechanism of land control by palm oil companies operates in the mangrove area of Kuala Langkat Village. This may involve:

1. Issuance of Concession Permits (HGU/Location Permits): Analyzing how these permits can be issued in protected areas or community-managed regions, often without adequate environmental impact assessments (AMDAL) or meaningful community participation. Identifying whether there are overlaps on maps between concession areas and legally protected mangrove zones.
2. Problematic Land Purchases: Investigating whether there are practices of buying and selling land by certain individuals claiming to be legitimate owners, without involving or compensating fishermen who have customary rights or long-standing management rights.
3. Unilateral Claims and Evictions: How companies begin to plant or secure land unilaterally, often supported by the authorities, which results in the loss of access for fishermen to fishing areas and resources.
4. The Role of State Actors: Evaluating the role of local government (Environmental Service, Forestry Service, National Defense Agency) in facilitating or allowing mangrove conversion, including potential inconsistencies in regulations or weak oversight.

### **Law Weapons Against Fishermen Defending Mangroves**

This section will be the core of the findings, detailing the patterns of criminalization

experienced by fishermen in Kuala Langkat Village. Each pattern will be supported by specific case examples, quotes from victim interviews, and legal document references where applicable.

1. Criminal Charges Against Traditional Activities:
  - a) Environmental/Forest Destruction: Fishermen who cut down mangrove trees for their daily needs (for example, repairing boats, making traditional fish farms, or collecting firewood) or gather non-timber forest products (such as mangrove crabs) in areas claimed by companies are accused of violating the Forestry Law or the Environmental Law. Ironically, the activities of companies that cause large-scale mangrove destruction often go unpunished by the law.
  - b) Land Encroachment: When fishermen try to maintain access to mangrove areas that have been claimed or marked by companies, they are accused of violating land encroachment articles (Penal Code or Plantation Law), even though they have managed these areas for generations.
  - c) Theft: Fishermen who take marine or forest products in disputed mangrove areas are considered to be stealing company assets.
2. Utilization of Criminal and Civil Law:
  - a) Police Report by the Company: How companies proactively report fishermen to the police, often with exaggerated or baseless accusations.
  - b) Intimidation and Violence: The use of security forces (Police, TNI, Brimob) or hired thugs by the company to pressure, intimidate, or even commit physical violence against fishermen who protest or defend their territory.
  - c) Use of Flawed Articles: An analysis of how articles in the Forestry Law (for example, Article 50 of Law No. 41 of 1999), Environmental Law, or the Penal Code that are open to interpretation are selectively used and abused to ensnare fishermen.
  - d) Civil Lawsuit: The company may also file a civil lawsuit to evict fishermen or claim damages.
3. Unfair Legal Process:
  - a) Limitations of Legal Access: Fishermen often face difficulties in obtaining adequate legal assistance, especially at the beginning of the legal process (arrest and interrogation).
  - b) Lack of Transparency: Investigation and trial processes that are less transparent or appear rushed.
  - c) Harsh Verdicts: Analysis of court decisions that tend to be harsh or not in favor of the fishermen, reflecting an imbalance of power and potential external interventions.

### The Destruction of Life and Ecosystems

This subsection will outline the far-reaching implications of criminalization, not only for individual fishermen who are imprisoned or burdened by legal processes, but also for entire communities and ecosystems in Kuala Langkat Village.

1. Economic Impact:

- a) **Total Loss of Livelihood:** The permanent loss of access to mangrove forests and fishing areas leads to a drastic decline in fishermen's income and the potential complete loss of the fishing profession.
- b) **Increase in Poverty:** Fishing families are trapped in a structural cycle of poverty, often forced to seek odd jobs or work as laborers on the palm oil plantations themselves.
- c) **Heavy Financial Burden:** The costs of court proceedings, lawyers, fines, and loss of productive time during detention/trial create a devastating financial burden.
2. **Social and Psychological Impact:**
  - a) **Community Fragmentation:** Conflicts and criminalization can trigger divisions among village communities, between those who choose to fight and those who are forced to accept.
  - b) **Collective Trauma and Fear:** Experiences of legal processing, imprisonment, or witnessing intimidation lead to deep psychological trauma and create a climate of fear that paralyzes resistance.
  - c) **Social Stigma:** Criminalized fishermen often face negative stigma, affecting their social life and future opportunities.
  - d) **Loss of Identity and Traditional Knowledge:** The connection to mangroves as part of the identity and traditional knowledge of fishermen (for example, traditional aquaculture techniques, knowledge of tides) is at risk of being lost.
3. **Legal and Political Impact:**
  - a) **Erosion of Public Trust:** The declining trust of the community in the legal system, government, and development promises.
  - b) **Weakening of Bargaining Position:** Criminalization effectively weakens the bargaining position of fishermen in agrarian conflict negotiations, making them more vulnerable to exploitation.
  - c) **Creating Bad Precedents:** Criminalization cases become precedents that hinder the struggle of other communities facing similar situations.
4. **Ecological Impact (Environmental Justice):**
  - a) **Permanent Damage to Mangroves:** The conversion to palm oil causes widespread deforestation, loss of biodiversity, and damage to ecosystems that are difficult to restore. This represents a significant environmental injustice.
  - b) **Increased Disaster Risk:** The loss of mangroves as natural protectors increases village vulnerability to coastal erosion, saltwater intrusion into wells, and the impacts of extreme climate change.
  - c) **Disruption of Marine Ecosystems:** Damage to mangroves negatively impacts fish populations and other marine life, threatening the availability of protein and local food security.

The criminalization case against fishermen in Kuala Langkat Village, Tanjung Pura District, Langkat Regency, North Sumatra, emerged in mid-2024 and became a national spotlight. Three village residents—Ilham Mahmudi, Safii, and Taufik—were arrested after attempting to save the mangrove forest threatened by conversion into oil palm plantations.

### **Case Chronology**

- April 18, 2024: Ilham Mahmudi was arrested by the Langkat Police for allegedly destroying an illegal hut in a protected mangrove forest area. The hut was suspected to be used by illegal loggers to damage mangrove trees and replace them with palm oil.
- May 11, 2024: Safii and Taufik were arrested by the Tanjung Pura Police while they were fishing at sea. They were accused of damaging the SAR (Search and Rescue) house, which was deemed responsible for the destruction of the mangrove ecosystem in their village. This arrest was carried out without a warrant and without legal assistance.
- July 15, 2024: The prosecutor charged Ilham and Taufik with alleged involvement in joint violence and destruction during an anti-logging protest on March 21, 2024. They face a maximum penalty of five years and six months in prison.

### **Legal Process and Verdict**

September 12, 2024: The Stabat District Court convicted Ilham and Taufik guilty of charges of destruction and the use of violence. This verdict has sparked criticism as it is viewed as a form of criminalization against environmental activists who are trying to protect mangrove forests from illegal encroachment.

### **Environmental and Social Impact**

The destruction of mangrove forests in Kuala Langkat Village has threatened coastal ecosystems and the livelihoods of traditional fishermen. The conversion of land to palm oil plantations covering 63 hectares by Bahrum Jaya Pelawi has reduced natural habitats for various species and increased the risk of coastal erosion. Before the deforestation, the mangrove forests were a source of life for various wildlife and crucial for the village's resilience to natural disasters.

### **Response from the Community and Activists**

The Alliance for the Care of the Ecosystem of North Sumatra, together with the residents of Kuala Langkat Village, held a mangrove forest restoration action on June 8-9, 2024, to celebrate World Environment Day. This action aimed to reject deforestation and show solidarity with the three fishermen who are still detained. An online petition was also launched to urge the release of Ilham, Safii, and Taufik, as well as to stop the criminalization of the community fighting for their right to live.

### **Allegations of Collaboration between Authorities and Forest Intruders**

Some parties suspect a conspiracy between certain police officers and the mafia of forest intruders. After the arrest of Safii and Taufik, there were reports that Kaspar Napitupulu, the head of the Tanjung Pura Police Sector, was seen sitting with Sup, who is suspected of being an accomplice to the forest mafia. This raises suspicions of collaboration between authorities and actors involved in environmental destruction.

### **Community Demands**

The community of Kuala Langkat Village demands that Ilham, Safii, and Taufik be released from all charges. Stop the criminalization of people who fight for their right to live. Law



enforcement must take firm action against those who destroy forests and the forest encroachment mafia. Restore the mangrove forests as part of our natural and cultural heritage. This case is a real example of how environmental preservation efforts can lead to the criminalization of individuals who strive to protect nature and their livelihoods. It is important for all parties to ensure that the legal process is fair and transparent, and to support environmental preservation efforts for the sustainability of future generations.

## CONCLUSION

The criminalization of fishermen in Kuala Langkat Village is a tragic portrait of agrarian injustice and the confiscation of living space driven by the expansion of oil palm plantations in coastal areas. The mangrove forests, which are vital communal assets and support the livelihoods of fishermen, instead become an arena for conflict that leads to legal oppression. This phenomenon clearly shows the structural power imbalance between large corporations, the state, and local communities. Where laws and state apparatus are often used as tools to legitimize the control of resources by the stronger party. Criminalization is not just a legal action, but a deliberate strategy to silence resistance and perpetuate capital accumulation.

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