

The implementation of conservation village model program in mount Rinjani National Park (A Regulation Perspective)

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ABSTRACT

The Development of Conservation Village Model (MDK) in the Mount Rinjani National Park (TNGR) is an effort to empower communities around conservation forests area with focus attention to social, economic, cultural, and other aspects. This study aims to provide an overview of the rules used in the implementation of the conservation village model program in TNGR which has implications for the mechanism of regulating community rights in national park management. This research was designed using a case study approach. Research data were collected through several data collection instruments such as field observations, in-depth interviews, Focus Group Discussions (FGD), and literature studies. The results of this study indicate that changes in the control of rights over resources that are not well socialized and the unclear regulation of community rights in the use of resources in the implementation of MDK, have implications for the multi-interpretation of the rules of implementing MDK that causes MDK cannot become powerful social control tools. This study proves that although legally the management of national parks has high authority through the regulatory mandate inherent in its management system, it cannot be fully used as an effective instrument in controlling the actions of other parties towards the area. On the other hand, complex regulatory mechanisms at the constitutional level do not guarantee the effectiveness of program implementation in the field, if the regulation structure does not function as an incentive and runs simultaneously at all levels of regulation.

Key words : Implementation, Regulation, Conservation village model, Management

Introduction

The Development of Conservation Village Model (MDK) in Mount Rinjani National Park (TNGR) is an effort to empower communities in and around conservation forests, emphasizing on the social, eco-

nomi, cultural, and other aspects; and eventually, this model will be made as an example for empowerment application elsewhere (Permenhut No P29 2013). Explicitly, development conservation villages aim to increase income and reduce the level of community poverty through empowering community

groups with the development of activities or businesses based on the potentials local resource (Permenhut No P67 of 2011). Therefore, clear and firm arrangements are needed to ensure the principle of benefit and fairness for the community in optimizing program implementation.

The regulation of land use rights in TNGR has become one of the strategic instruments as a frame for management activities in the field. According to Agrawal and Ostrom (2001) view, regulating the rights to resources will determine the incentives of the parties to preserve natural resources. If there are rules and structures of good governance in an institution, the resources can be used together and hence, conservation goals can be achieved.

The presence of clarity of rights, will affect the behaviour of resource users towards the resources, because rights are one of the instruments of social control that can regulate community interdependence, and emphasize who gets what (Schmid 1987). Schlager and Ostrom (1992) state that a series of rights held by the parties will determine a person's position on the resource, whether he is the owner, proprietor, claimant, and authorized user. This type of right determines the motivation of the parties to preserve and conserve resources (Agrawal and Ostrom, 2001).

The study of structure in this context, aims to provide an overview of the description of the rules used in the program implementation of the conservation village model in TNGR, which has implications for the mechanism of regulating community rights in the management of national parks. This is important to be done, due to structure determines management performance. According to Schmid (2004) structure is an institutional alternative to regulate interdependence between parties who have an interest in the resources.

Material and Method

Data Collection

This research uses a case study approach (Mulyana, 2006). Research data are collected through several data collection instruments, including: field observations, in-depth interviews, Focus Group Discussions (FGD), and literature studies. This research describes descriptively property right and the rules used in the management of these resources.

Data Analysis

Structural analysis is carried out descriptively towards the implementation of MDK by observing the rules applied. In the context of this study, the analysis of the MDK regulations of implementation was conducted with content analysis a focus on three levels of rules in the management of shared resources, i.e. operational rules, collective rules and constitutional rules (Ostrom, 1990). Rules at the operational level are the processes of interaction between individuals; between individuals and the physical/material world that are relevant; and making daily decisions. The second level is the analysis of collective choice, in which, individuals interact to make rules that will be implemented at the operational level. The third level is the constitutional level rules that include rules that determine which parties must, can or cannot participate in making joint choices (Hess and Ostrom, 2007).

Results and Discussions

The results show that, in the implementation of MDK in TNGR, both in Santong Village and Pesangrahan Village, did not provide clear regulations or provisions related to community rights over the use of resources in the TNGR area, although the results also show that the community that are residing in MDK implementation sites, tend to utilize the Mount Rinjani National Park area for various livelihood activities. This is because the community assumes, they have rights to the area based on the land use history before independence of Indonesian. Specifically, the description of the formal rules for the management of the MDK's in the national park area, are discussed in the following description below:

Formal Rules for Management and Empowerment in the National Park

The juridical basis for managing national parks in Indonesia is regulated in articles 31-37 of Law No. 5 of 1990 concerning Conservation of Biological Resources and its Ecosystems. Furthermore, it is elaborated in detail in PP (Government Regulation) No. 108 of 2015 concerning Amendments to PP (Government Regulation) No. 28 of 2011 concerning Management of Natural Reserves and Nature Conservation Areas. The regulation explicitly states that the national park area can be utilized for certain inter-

ests including:

- a. Science research and development;
- b. Education and awareness raising for nature conservation;
- c. Carbon storage and/or absorption, utilization of water, water energy, wind, solar heat, geothermal, and natural tourism;
- d. Utilization of wild plants and animals;
- e. Utilization of germplasm sources to support cultivation; and
- f. Traditional use by the local community.

Article 35 Paragraph 2 explained that the traditional utilization referred to in paragraph (1) letter f can be in the form of collection of non-timber forest products, traditional cultivation, as well as limited traditional hunting for unprotected species.

The elaboration on the mandate of Government Regulation (PP) No. 108 of 2015 is elaborated again in several Permenhut (Minister of Forestry Regulations) such as Permenhut No. 07 of 2016 concerning the Organization and Work Procedure of the National Park Technical Implementation Unit, which provides arrangements regarding the implementation of national park management, which includes:

- a. Arrangement of activity plans, monitoring and evaluation of the management of the national park area;
- b. Management of national park areas;
- c. Investigation, protection and security of national park areas;
- d. Forest fire control;
- e. Promotion, information on the conservation of natural resources and ecosystems;
- f. Development of the "binacintaalam" and counselling on the conservation of the natural resources and ecosystem;
- g. Collaboration on the development of the conservation of natural resources and ecosystem; and development of partnerships;
- h. Community empowerment around the national park area;
- i. Development and utilization of environmental services and natural tourism;
- j. Implementation of administrative and household affairs.

From the description above, it can be seen that, one of the tasks of organizing a national park is to empower communities and develop cooperation in order to develop conservation of natural resources. This includes, implementing community empowerment through conservation villages (MDK), in ac-

cordance with the mandate of Article 49 Paragraphs 1, 2 and 3 of Government Regulation (PP) No. 108 of 2015. Although, the jurisdiction of community empowerment in the National Park area is expressly mandated in Ministry of Forestry Regulation (Permenhut) No. 07 of 2016, which states that the Technical Implementation Unit (UPT) of National Park (TN) is holding the community empowerment function. This was emphasized in Permenhut No. 16 of 2011 that one of the community empowerment programs around the conservation area is carried out through the establishment of a conservation village.

MDK Implementation Rules and Its Dynamics in TNGR

Based on the analysis results on the formal rules for implementing MDK, using the multilevel rules making process by Ostrom (1990), shows that the implementation of the conservation village model (MDK) in TNGR refers to the formal rules of the government. However, this regulation does not regulate community access to resources in TNGR. The implementation of MDK has been focused on activities in the form of providing assistance such as materials and production equipment to the communities that are the targeted in MDK implementation program. In contrast, the results obtained during the study show that, the people who are in MDK implementation locations tend to use the TNGR area for various livelihood activities.

Constitutional Rules

In general, several regulations identified relating to the implementation of MDK in TNGR include: Law (UU) No. 5 of 1990, Government Regulation (PP) No. 108 of 2015, Minister of Forestry Regulation (Permenhut) No. 67 of 2011, Permenhut No. 16 of 2011, Minister of Environment and Forestry Regulation (Permen LHK) No. 07 of 2015 and Permen LHK No. 76 of 2015 and MDK Guidelines and implementation reports in TNGR.

In its implementation on the ground, MDK implementation rules in TNGR are only available at the constitutional level and partly at the collective level. MDK implementation rules that are designed, do not reach at the operational level, where direct interaction between communities and forest resources occurs. As a result, the mandate cannot be easily implemented at the field level. Table 1 below provides an illustration that, the process of applying

rules is not appropriate to the situation that occurs in the field and is conflicting with one another. A description of the rules is described in the following Table 1.

On the other hand, empowerment activities in TNGR have been carried out by the Regional National Park Management Section, which has the task of preparing plans and budgets, evaluating and reporting, technical guidance, service and community empowerment, area management, protection, preservation, sustainable use, security and forest fires control, eradication of illegal logging and distribution of timber, plants, and wildlife as well as management of infrastructure, promotion, natural tourism and community development, counselling on conservation of natural resources and ecosystems as well as cooperation in the management of national park areas. The composition of tasks and responsibilities are complex, coupled with the limited availability of human resources. This was recognized by Mr. Rony as a BTNGR extension officer who stated that:

“Empowerment activities, so far, have been felt to be less than optimal, for several reasons, i.e.: in addition to being constrained by budget and capacity, we are also limited in terms of the number of personnel. This is like in the management section of North Lombok Region I, where the task of community empowerment is left to one forestry instructor and must provide assistance in 16 villages located around the TNGR area.”

Collective Rules

According to Ostrom (1990), rules at the collective level include, the process of policy making, management, and decision making. This collective rule aims to regulate the preparation of operational rules. In implementing MDK in TNGR, the national park facilitated the group in preparing the structure and plan of activities in the village, which were projected to be a guideline for group activities in overseeing the implementation of MDK in the field, even though, of the two villages that were targeted for MDK implementation, only one village had an activity plan, that is the Santong Village.

The approach taken in Pesangrahan Village so far has been limited to the formation of institutions and the provision of aid, while the technical aspects of institutional strengthening have never been done. Since 2007 until now, there have been four institutions formed by TNGR in implementing MDK in

the village, but the conditions are quite alarming. This is because, apart from not being equipped with good institutional mechanisms, the group also rarely gets supervision from TNGR, so the groups that have already been formed does not endure. When there was more aid, TNGR formed a new group with different people with the same mechanism. This is as revealed by Mr. H Amrullah (Pesangrahan Village Community Leader) as follows:

“When assistance from the central government is available, they actively form groups, instantly, and when there is no project or no aid, they just ignore us, that’s what happened to us. So, we feel used by them. If there are people who object, I dare to debate, because the reality is like that, when there was no aid, we were ignored, as if we don’t exist.”

This was confirmed by Mr. AgusSubarnas (TNGR) who said that:

“So far, the initial group formation is done instantly, so they are not ready to accept the program, so a mindset is formed in the community that if a group is formed, it means that they will be able to receive aid. That is what is on their minds. Then, when the budget was not available, they asked “why this year we can’t get help”. Ideally, the first thing that needs to be strengthened is their institution, it might take 2-3 years to strengthen the institution, then they can implement their program/distribute aid, but the problem is when there is funding from the central government for the implementation of the current year, it must be distributed directly in that same year, this is also a problem.”

Meanwhile, although there is already a group plan for Santong Village, it has never been used as a guideline in the implementation of MDK in the field. The results of interviews with the SPKP management revealed that, so far the implementation of MDK in Santong Village was only based on the results of internal meetings without the assistance of TNGR or the village.

This was reinforced by the arguments of the head of the SPKP RTT for the period of 2010-2014 which stated that: *so far, the supervision from TNGR was felt to be very lacking, they only came asking for reports and then left.* So that the existing group has been running alone and eventually no longer active.

The findings in the analysis of rules at the collective and constitutional level illustrate that, the failure of the implementation of MDK in the field is not only due to the incompatibility of the use of resources and structures that are not running, but also

Table 1. Formal rules that are directly related to the implementation of the Conservation Village Model

Formal Regulation	Content	Notes / Findings
Minister of Forestry Regulation (Permenhut) No. 16 of 2011 concerning General Guidelines for National Program for the Forestry Independent Community Empowerment	<p>Definition: Conservation Village is a village located in and around a conservation forest appointed by the Head of the Local Technical Implementation Unit, in coordination with the local government in accordance with established criteria and the behaviour of the community consistent with the conservation principles.</p> <p>Conservation Village criteria: 1. Villages located inside and bordering with the conservation forest. 2. Villages that ecologically drive influence to the conservation forest. 3. Villages where its people have very high dependency on the forest conservation.</p> <p>Conservation Village programs and activities: 1. Rehabilitation of conservation areas 2. Restoration of conservation areas 3. Utilization of environmental services 4. Utilization of plants, wild animals and non-timber forest products 5. Security of the forest area 6. Habitat development</p> <p>Definition: Conservation Village is a village located in a buffer zone of a conservation area appointed by the Head of the Local Technical Implementation Unit, in coordination with the regional government in accordance with established criteria and the behaviour of the community consistent with the conservation principles.</p> <p>Conservation Village criteria: 1. Geographically bordering the area of nature reserves and nature conservation areas; 2. Ecologically have strong interactions with nature reserves and nature conservation areas.</p> <p>Conservation Village Program: 1. Strengthening community capacity; 2. Forming, fostering, strengthening group capacity; and 3. Explore and developing biological based activities or businesses. a. captivity of plants and animals including orchids, nepenthes, arowana fish, snakes and birds; b. cultivation includes medicinal plants, agarwood, bamboo, rattan, honey bee, silkworm, seaweed, sea cucumbers; c. nature tourism services include tour guides, lodging, food service providers, transportation and souvenirs.</p> <p>Article 16 relating to the criteria carried out in the national park zone: 1. Core Zone (Strict Natural Zone)</p>	<p>This definition is different when compared to the Minister of Forestry Regulation (Permenhut) No. 67 of 2011 regarding conservation villages, particularly, in regard with the target areas of the villages.</p> <p>The criteria for conservation village differ from that of Minister of Forestry Regulation (Permenhut) No 67 of 2011 concerning the subject of the same arrangements on the criteria for conservation village.</p> <p>The programs and activities of conservation villages are also different from that stated in the Minister of Forestry Regulation (Permenhut) No. 67 of 2011 concerning the same regulatory objects on the criteria of conservation villages.</p> <p>This definition is different when compared to the Minister of Forestry Regulation (Permenhut) No. 16 Year 2011 regarding conservation villages, particularly, in regard with the target areas of the villages.</p> <p>The criteria for conservation village differ from that of Minister of Forestry Regulation (Permenhut) No 16 of 2011 concerning the subject of the same arrangements on the criteria for conservation village.</p> <p>The programs and activities of conservation villages are also different from that stated in the Minister of Forestry Regulation (Permenhut) No. 16 of 2011 concerning the same regulatory subjects on the criteria of conservation villages. There are no programs and activities directed at structuring community access to conservation areas. The form of the proposed program tends to be fixed. There is no room for communities to propose types of programs based on the potential of their area.</p> <p>From these zones, the space for utilization activities which may be carried out by the</p>
Minister of Forestry Regulation (Permenhut) No. 67 of 2011 concerning Use of Working Capital Assistance Expenditures for Developing Conservation Villages in Buffer Zones of Conservation Areas		
Minister of Forestry Regulation (Permenhut)		

Table 1. Continued ...

Formal Regulation	Content	Notes / Findings
No. 76 of 2015 concerning Criteria for Zoning Management of National Parks and Block Management of Nature Reserves, Wildlife Reserves, Forest Parks and Nature Parks.	2. Wilderness Zone 3. Utilization Zone 4. Marine Protection Zone 5. Traditional Zones 6. Rehabilitation Zone 7. Religion, Culture and History Zone 8. Special Zone	community "traditionally" only exists in the traditional zone. Whereas for other zones, there is no space allocation of access for the community to utilize the area. The regulation also does not provide space for participation for other parties to be involved in the preparation of zoning for the management of conservation areas (participation of the parties is only regulated during public consultation), therefore it is not uncommon to cause conflict at the site level.
Minister of Forestry Regulation (Permenhut) No 07 of 2016 concerning the Organization and Working Procedures of the National Park Technical Implementation Unit	Empowerment activities, around national parks, have been mandated in article 3 point L of this ministerial regulation. Also, the technical division designated to handle empowerment in NP, namely the area management division (article 21), which has various functions, one of which is community empowerment in and around conservation areas.	In this ministerial regulation, there is no structure specifically assigned to empowering the community and handling coordination and cooperation in the empowerment activities. The community empowerment function is mandated in the division of national park management, which in general already has many tasks and responsibilities, both in technical and non-technical fields, starting from the inventory process, area planning, protection and security, preservation, utilization of environmental services and also includes matters of empowerment. Thus, there is no structure (division) that focuses on the matters of empowerment in the field.
Government Regulation (PP) No 108 of 2015 concerning Amendments to Government Regulation (PP) No 28 of 2011 concerning Management of Nature Reserve Areas and Nature Conservation Areas Law (UU) No. 5 of 1990 concerning Conservation of Natural Resources and Ecosystems	Article 49 paragraph 2 states that community empowerment as referred to in paragraph (1) includes community capacity building and granting access to the use of KSA and KPA.2. Article 49 paragraph 3 point 2 states that granting access to collect non-timber forest products in traditional zones/blocks or traditional uses. Article 37: (1) The role of the people, in the conservation of the natural resources and ecosystem, is directed and driven by the government through various activities that are effective and efficient. (2) In developing the people's participation, as referred to in paragraph (1), the government will encourage and increase the awareness of the conservation of the natural resources and ecosystem, among the people through education and extension. (3) Further provisions, as referred to in paragraph (1) and paragraph (2) shall be regulated by Government Regulation (PP).	Community access, not only limited to traditional zones, but also restricted to the form of collecting non-timber forest products, and not other form of activities. This rule is certainly the basis for regulating national park zoning (Ministry of Environment and Forestry Regulation /Permen LHK No. 76 of 2015). There are no rules that specifically regulate community access spaces in conservation areas within the framework of empowerment and management of conservation areas.

due to the lack of capacity of the executor of MDK, both at the government and community levels, hence MDK regulation mechanism is not well understood and implemented in the field. This argument is reinforced by the statement of Mr. Seno (Head of TNGR Region I Section) that:

There are 9 stages in developing a conservation village model. One stage consists of many books. Who wants to learn all this, it is difficult to master the book, besides the 9 stages must be in order, between one stage and another, whilst the conditions in the field are different.

He added that, currently BTNGR have problems in managing the National Park, specifically in terms of policy issues, budget problems and target issues, which have to be achieved this year and inevitably, must be done single-handedly.

Choice of Community Action in the Management of TNGR

Although the formal rules of TNGR management limit community rights in the use of the area, in practice, quite a lot of TNGR areas have been utilized by the community, such as for hunting, collecting Timber Forest Products and NTFPs, including in Santong and Pesangrahan Villages, where both villages are among the target locations of MDK.

The utilizing activity of TNGR area by the community is carried out in various ways, both individually and involving relatives. In the case of hunting or collecting wood in the TNGR area, commonly, the community does it with friends or closest neighbours, to accompany their activities within the TNGR area. This is intended to ease their activities in the forest.

Based on a patrol report in the Santong Resort area in June 2016, there were findings of forestry violations such as theft of forest products (timber

and non-timber), traditional wildlife hunting, and illegal use of natural tourism potential within the conservation area.

This is due to the rules on area management and implementation of MDK in TNGR, has not accommodated the ongoing access of community to resources. On the other hand, the transfer process of control on resources from the community to government is not well socialized, thus has implications on the high tenurial conflicts in TNGR. This was reinforced by the argumentation of one of the Santong community leaders who stated that:

“At the beginning of the determination of the Santong forest area as a national park, many did not know. This is because the National Park lacks socialization, resulting in many conflicts between the community and TNGR officers”.

Furthermore, the community tends to let other parties enter the TNGR area for various reasons. This is because, they consider them self does not have the authority to prohibit other parties from entering the NP area, there are views in the community that assume that:

“The national park is the central government, everything inside the national park should not be touched, the people are also frightened that, there is no mercy if they got caught doing activities in the national park. On the contrary, with this understanding, the community is increasingly becoming more daring to disturb the national park, due to the fact that there is no empowerment program and lack of socialization” (Mr. Sabidi - Community figure of Santong Village).

Administratively, the TNGR area bordering the Santong area is included in the category of the Wilderness Zone in accordance with the decision of the Director General of Forest Protection and Nature Conservation with Decision Letter (SK) No.99 / IV / Set-3/2005. With regard to the determination of



Fig. 1. Illegal logging in TNGR (Source: BTNGR)

the zoning status, the activities that can be carried out are quite limited, including:

- a) Protection and security;
- b) Inventory and monitoring of natural resources with ecosystems;
- c) Fostering habitats and populations in order to maintain the existence of wild populations;
- d) Research and development of science;
- e) Education and raising awareness in nature conservation;
- f) Limited natural tourism;
- g) Carbon storage and sequestration;
- h) Utilization of germplasm sources to support cultivation;

Based on the description above, it can be seen that there are still differences in the description of rights between what is expressed by the Santong Village community and the formal rules of the national park regarding the use of the TNGR area (see Table 2), which results in a situation of incompatibility in the management of TNGR. Agrawal and Ostrom (2001) revealed that, if people who live around the area only have access rights, they will feel less responsible for the preservation of these resources.

Specifically for Pesangrahan Village, the description obtained related to the collection of community rights shows that, so far the community feels they have the right to use resources, both in terms of access, collecting forest products, managing and prohibiting other parties from entering their territory. This is based on the rights granted personally by the head of the Joben Resort in 2003.

However, the description of the rights to resources that apply to the Pesangrahan Village, has not been accommodated in the formal rules of national park management such as the Minister of Environment and Forestry Regulation (Permen LHK) No. 76 of 2015 that regulates the zoning of national park management.

Based on the Minister of Environment and Forestry Regulation (PermenLHK) No. 76 of 2015, Pesangrahan village areas fall into the category of Traditional Zone. Utilization activities permitted in Traditional Zone are for conservation purposes as well as for traditional uses based on the history of their usage, however, no management, transfer or compensation process for national park area is permitted to other parties.

Thus, differences in perspective between the community and BTNGR in responding to the mechanism of rights to resources in their area, also occurred in the area of Pesangrahan Village. These differences can be seen in detail in the following Table 3.

The facts revealed, in the above description, illustrate that the management of national parks through the regulatory and control approach has encountered various challenges in its management (Zuhud 2011; Sudirman 2016). The demand for change, in the situation of management of conservation area, is one of the important things that must be encouraged, in order to be able to accommodate the needs of the local community. This situation shows the importance of actualizing institutional arrangements in TNGR to synergize the interests of national

Table 2. Differences in community rights to TNGR resources in Santong Village based on formal rules for managing national parks

Rights	Community	National Park Formal Rules
Rights of Entry and Harvest of Products in the Region	Permitted	Not Permitted
Right to Manage	Not Permitted	Not Permitted
Exclusion Rights	Not Permitted	Not Permitted
Transfer Rights	Not Permitted	Not Permitted

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Transfer Rights	Not Permitted	Not Permitted

park conservation with the needs of local communities.

This is in line with the view of Soekmadi (2003), management of conservation areas must not neglect local communities, management of conservation areas should be developed from local wisdom and accommodate the interests of local communities.

The existence of strong local institutions and synergized with the interests of national park management, can be one of the factors to optimize the management that is being carried out. Agrawal and Yadama (1997) stated that, the existence of local institutions will affect the condition of forests. Clarity of community rights in managing forest resources will encourage responsibility for the preservation of these resources (Agrawal and Ostrom 2001).

Conclusion

Changes in the control of rights over resources that are not well socialized and the unclear regulation of community rights in the utilization of resources in the implementation of MDKs, has implications on existence of the multi-interpretation on TNGR management arrangements and the implementation of MDKs causing MDKs cannot become a powerful social control tool.

This study proves that, legally, the management of national parks has high authority through the regulatory mandate where it is inherent in its management system, it cannot be fully used as an effective instrument in controlling the actions of other parties towards the area. On the other hand, complex regulatory mechanisms at the constitutional level, do not guarantee the effectiveness of program implementation in the field, if the structure being built does not function as an incentive and runs simultaneously at all levels of regulation (constitutional, collective or operational).

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