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# Analysis of the Negotiation Process of PT Surya Bratasena Plantation with Pangkalan Kuras District, Pelalawan Regency

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#### INDEXING

#### ABSTRACT

# **Keywords:**

Negotiation Negotiation Strategy Land Conflicts The negotiation process is found in many situations, both professional and non-professional. Thus, negotiations now do not occur only in the scope of business related to buying and selling products and services. Negotiation occurs when two or more parties work together to resolve a problem involving the negotiating parties. Generally, one party has something that the other party wants and is willing to negotiate about it. The resolution of the PT Surya Bratasena Plantation problem with Pangkalan Kuras District is an example of conflict resolution through a negotiation process. In this paper, the researchers examined and analyzed the negotiation process carried out by PT Surya Bratasena Plantation in resolving land conflicts.

#### Kata kunci:

#### Negosiasi Strategi Negosiasi Konflik Lahan

#### ABSTRAK

Proses negosiasi banyak ditemukan di berbagai situasi baik secara professional ataupun nonprofesional. Sehingga, negosiasi kini tidak terjadi hanya dalam ruang lingkup bisnis terkait jualbeli produk dan jasa saja. Negosiasi terjadi ketika terdapat dua pihak atau lebih yang bekerja sama
untuk menyelesaikan masalah yang melibatkan pihak-pihak yang bernegosiasi. Umumnya, salah
satu pihak memiliki sesuatu yang diinginkan oleh pihak lain dan pihak lain bersedia untuk
bernegosiasi terkait hal tersebut. Penyelesaian masalah PT Surya Bratasena Plantation dengan
Kecamatan Pangkalan Kuras merupakan salah satu contoh penyelesaian konflik melalui proses
negosiasi. Dalam tulisan ini, peneliti mengkaji dan menganalisis proses negosiasi yang dilakukan
oleh PT Surya Bratasena Plantation dalam menyelesaiakan konflik lahan.

### **Article History**

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#### INTRODUCTION

Indonesia has abundant natural wealth with various attractions for the world's eyes as a country with the second-highest level of biodiversity in the world after Brazil (Hitipeuw: 2011). Geographically, Indonesia is located on the equator, between two continents (Asia and Australia) and two oceans (the Indian Ocean and the Pacific Ocean), which causes Indonesia to have a tropical climate with hot temperatures with evenly distributed sunlight throughout the year.

This tropical climate also makes Indonesia one of the three countries with the most extensive tropical forests in the world besides Brazil and the Democratic Republic of the Congo. Currently, Indonesia's forest area reaches 94.1 million hectares or equivalent to 50.1% of Indonesia's total land area. Most of the forests in Indonesia are lowland Dipterocarp Forest types characterized by being green all the time and located in Sumatra and Kalimantan, monsoon forest, and savanna forest types in Nusa Tenggara, and non-Dipterocarp Forest types in lowland and alpine areas in Papua. These forests are home to a wide variety of mammals.

The potential of forests in Indonesia supports the timber industry to develop. Besides being a home for various mammals, forests in Indonesia are also a natural resource that contributes the most to the national basic income. Currently, around 62.94 million hectares of forest in Indonesia are allocated to produce raw materials for the timber industry, with community forests as support. This allocation is expected to contribute to the country's

economy and Indonesia's gross domestic product.

On the other hand, the forest is also home to many communities around the forest. Currently, about 40,000 villages in Indonesia occupy forest areas passed down from generation to generation. For these village residents, the forest has a vital role in their survival. Due to these differences and conflicts of interest, conflicts over forest land claims often occur. Forest land conflicts are unavoidable. Forest land conflicts can occur between various persons concerned, such as state-owned companies, private companies, and the public whose livelihoods depend on forest resources.

Land conflicts generally occur due to mutual claims over land rights. Local communities are considered owners of land rights, a community recognition based on customary law and ancestral heritage. On the other hand, the ownership of land rights is also regulated under state law, creating a conflict. One of the forest land conflicts occurred between PT Surya Bratasena Plantation and the community in Kuras Subdistrict, Pelalawan Regency, Riau. The conflict between PT Surya Bratasena Plantation and the community in Kuras Sub-district first arose when it was found that there was a calculation error in the measurement of oil palm land by PT Surya Bratasena Plantation. The land claimed by PT Surya Bratasena Plantation to manage this oil palm area was found to be owned by the community. This calculation error is thought to be caused by an error in the tool previously used.

Before the resolution, the people in Kuras Sub-district held a demonstration for compensation for the rights of the Kuras Sub-district community, which PT Surya Bratasena Plantation took over. Efforts to resolve forest land conflicts between PT Surya Bratasena Plantation and the community in Kuras Sub-district, which were passed through negotiation efforts, emphasized the critical role of communication through negotiations in conflict resolution. Several previous studies have discussed the critical role of communication, primarily through negotiation in conflict resolution. Kaisupy and Maing (2021: 96) stated that the negotiation process could be a conflict management strategy applied to make a conflict a mediator for the conflicting parties because it allows both parties to create a dialogue that leads to the reconciliation process.

According to Raharjo (2014:168), it is crucial to identify the actors involved in the conflict and then be actively involved in the negotiation or mediation process. Irwandi and Chotim (2017:41) found efforts to resolve disputes taken through negotiation, consultation, mediation, to arbitration can lead to a dead-end due to the presence of one party who is not actively involved in the final decision-making process. Based on the description of the background above, this study aims to examine and analyze the negotiation process to resolve forest land conflicts between PT Surya Bratasena Plantation and the community in Kuras District.

#### LITERATURE REVIEW

## **Communication and Negotiation**

The negotiation process is found in many situations, both professional and non-professional. Thus, negotiations now do not occur only in the scope of business related to buying and selling products and services. Negotiations can also happen between familiar parties, such as friends or family, regarding personal and personal matters. In general, negotiation is interpreted as a process of bargaining through negotiations. A mutual agreement is possible between one party, both individuals, groups, and organizations with other parties. The person who negotiates is also called the negotiator. Based on this definition, negotiations do not occur between individual parties and other individuals only. Negotiations can also occur between individuals with groups and groups with other groups.

For some people, negotiation is now widely seen as the ability or skill to persuade people

to agree and accept others' thoughts (Triharso: n.d). Thus, the communication process that occurs in negotiations has a vital role in the entire negotiation process and can affect the outcome of the negotiations for the parties involved.

Negotiation occurs when two or more parties work together to resolve a problem involving the negotiating parties. Generally, one party has something that the other party wants, and the other party is willing to negotiate. Therefore, a negotiator must have good communication skills and must have the ability to understand the negotiating opponent to obtain good results.

#### **Negotiation**

The word negotiation itself comes from English. According to KBBI, negotiation is a process of bargaining through negotiations to reach a mutual agreement between individuals, groups, and organizations with other parties. Other definitions of negotiation are as follows.

- 1. According to the Oxford Dictionary, negotiation is a "formal discussion between people who are trying to reach an agreement."
- 2. According to Baguley (2000) in I Putu Artaya (2013:1), negotiation is a way to reach a decision that can be agreed upon and accepted by the negotiating parties and agree on the actions in the future.
- 3. According to Sumbeiywo (2014:6), negotiation is a communication process between the parties involved to resolve problems involving the negotiating parties.
- 4. According to Black's Law Dictionary, "negotiation includes deliberation, discussion, and conference upon the terms of a proposed agreement. It is the act of settling the terms and conditions of a bargain, sale, or other transaction. Negotiation is the transfer of act of putting into circulation of a negotiable instrument."
- 5. According to Lewicki, Barry, and Saunders (2012) in Dunn et al. (2015), negotiation is a process in which two or more parties seek to resolve the conflicting interests of each party.

From the definitions above, negotiation is a process that involves two or more parties, individuals, groups, and organizations trying to reach an agreement that all negotiating parties agree upon on the interests of each conflicting party. In the scope of business, negotiations are generally carried out between groups within the company or interactions between companies. In business negotiations, negotiations are carried out in a structured manner where the negotiating parties exchange information and interests to achieve beneficial results. Generally, the purpose of negotiations in the scope of business is to discuss business contracts, business cooperation, increasing market share, or company revenue.

## **Stages in the Negotiation Process**

According to the KBBI, a stage is a part of development. It has a beginning with an end either vertically or sideways. Meanwhile, according to Oxford Dictionary, what is called a stage is "a period or state that something or somebody passes through while developing or making progress." Thus, a stage is a part that someone passes in carrying out a process with a beginning and an ending. In business negotiations, negotiation is a structured interaction. A negotiator will move from the starting point and will carefully move until it reaches its endpoint or destination. According to Craver (2003), several stages are passed in a negotiation, which is as follows:

#### The Preparation Stage

The preparation stage is the stage where the negotiator prepares himself before negotiating. In the preparation stage, a negotiator does not only design and conclude the goals

to be achieved by his party. It is also necessary to know information from the opposing party. Because in the preparation stage, negotiators need to find out the required knowledge when negotiating, including regarding the opposing party.

The preparation stage is crucial in the negotiation process. Those who do more preparation will have a greater chance of getting the results or goals under their wishes.

There is some vital information that a negotiator needs to know when going to negotiate, which are as follows:

- a) Knowing the lowest point of the negotiating opponent
- b) Setting the expected high point
- c) Formulating an offer with some exceptions
- d) Designing interactions that will occur in negotiations

## The Preliminary Stage

The preliminary stage is the initial stage of a negotiation process. At this stage, the negotiating parties interact for the first time and determine the rules. At this stage, a negotiator needs to know the similarities with the opponent. The equation involves values, goals, interests, or interests.

By knowing these similarities, the negotiator will quickly gain the opponent's trust because the opponent feels that the negotiation will have good faith. The negotiator must also begin to identify the critical points of the opponent. During the negotiation process, the negotiator can formulate an offer that can be agreed upon by the negotiating parties.

#### The Information Stage

This stage is also known as the value creation stage. When the negotiator has succeeded in identifying the dynamics of communication in the negotiation and understanding information from the other party, this stage is a transitional stage from light discussions to discussions regarding the needs and interests of each party. In this process, the negotiating parties will know each other's needs and interests and then look for ways to reach an agreement that can meet the needs and interests of each party.

#### *The Distributive Stage*

This stage is also known as the value claim stage. The transition from the informational stage to the distributive stage is usually seen. At this stage, the negotiating parties no longer ask each other what each party wants and begin to talk about what each party has or is willing to give. During the distributive stage, the negotiation focuses on determining the value and the alternatives from the negotiation.

## The Closing Stage

This stage is the last stage of the negotiation process, which marks the end of the negotiation process, and the negotiating parties have reached an agreement.

## **Types of Negotiation**

Negotiations have various types based on the critical variables, such as timing, type of conflict, or the negotiation actors. Negotiations are based on the outcome of the negotiation, the purpose, and the situation faced by the negotiator. Pienaar and Spoelstra (2008:8), there are several types of negotiations, each of which is influenced by different critical variables:

#### a) Based on Purpose

Based on the purpose of negotiation, there are three types of negotiation as follows.

- 1. Integrative negotiation is when both parties aim to get at least the perception of having gained more than they could have achieved through alternative approaches.
- 2. Distributive negotiation is a win-lose model of negotiation because one party must lose and have more control over limited resources than the other party. In a distributive negotiation, the negotiator will be more offensive than defensive.
- 3. While destructive negotiations are negotiations where one party wins by losing, also known as lose-lose negotiation.

# b) Based on Relationship

Based on the relationship between the negotiating parties, there are three types of negotiations as follows:

- 1. Cooperative negotiation is a negotiation where the negotiation is not competitive, and in the end, the two negotiating parties cooperate.
- 2. In continuous negotiations, the two parties must maintain a continuing relationship.
- 3. Intermittent negotiation occurs when a problem arises between the two negotiating parties and can threaten the relationship between the two parties.
- 4. Crisis negotiations occur when one of the parties has a confrontation so that the negotiations carried out because of the conflict are crisis negotiations.

#### **Negotiation Strategy**

According to the Oxford Dictionary, strategy is: "a plan that is intended to achieve a particular purpose." A strategy aims to achieve a specific goal. In negotiation, strategy is a plan that can help accomplish the negotiation goals. Negotiation strategies are needed to get the best results from a negotiation process.

- 1. According to Sumbeiywo (2008: 8-10), there are several strategies that negotiators can implement when negotiating.
- 2. In negotiations, it is essential for negotiators to always focus on the purpose of the negotiation and always be long-term oriented to obtain maximum results. In addition, when negotiating, negotiators must not waste energy on trivial matters.
- 3. Negotiators must always know and express positions and interests. Before negotiating, negotiators must understand in detail the desired goals. Furthermore, it is also essential to communicate this objective clearly and precisely during the negotiation process.
- 4. 3Several vital factors must be considered during the negotiation process, such as body language and language. These are essential when negotiators try to read the situation.

#### RESEARCH METHOD

The research method used was a qualitative descriptive method. According to Sugiyono (2015:7), qualitative research is based on the philosophy of postpositivism to examine objective natural conditions where the researcher acts as a critical instrument. A descriptive approach determined the explanation of a single variable in the study. The data collection technique used in collecting data and information was to use a literature study.

A literature study would obtain the required information. According to Sugiyono (2015: 140), literature studies are related to theoretical studies and other references related to norms, culture, and values that develop in a social situation because research and scientific literature are related. The researchers used theoretical triangulation and several views to interpret a problem, issue, data, and information to ensure uniformity and similarity of information received from various perspectives.

#### RESULT AND DISCUSSION

PT Surya Bratasena Plantation has been operating since 1988 as a PMDN (Domestic Investment) business. PT Surya Bratasena Plantation is a palm oil company that is then processed into crude palm oil. PT Surya Bratasena Plantation started clearing plantations in late 1988, and starting in 1989, gradual planting began. The company operates in Sorek Village, Pangkalan Kuras District, Pelalawan Regency, Riau Province. Sorek village is surrounded by seven other villages, namely Sorek Dua, Dundang, Sidomukti, Berung, Batang Kulim, Surya Indah and Terentang Manuk.

Riau itself is one of the wealthiest provinces in Indonesia. The province, located in the central part of the island of Sumatra, is rich in natural resources such as oil, palm oil, fiber plantations, natural gas, and rubber. Currently, there are 1.34 million hectares of oil palm plantations spread across Riau province, and annually, Riau Province can produce 3,386,800 tons of palm oil per year.

The forest land conflict between PT Surya Bratasena Plantation and the people of Pangkalan Kuras Sub-district occurred in Sorek Village. The operational activities of PT Surya Bratasena Plantation began in 1989 after obtaining the legality of Cultivation Rights on a land area of 3,200 in the area.

- 1. According to the Oxford Dictionary, negotiation is a "formal discussion between people who are trying to reach an agreement."
- 2. According to Baguley (2000) in I Putu Artaya (2013:1), negotiation is a way to reach a decision that can be agreed upon and accepted by the negotiating parties and agree on the actions in the future.
- 3. According to Sumbeiywo (2014:6), negotiation is a communication process between the parties involved to resolve problems involving the negotiating parties.
- 4. According to Black's Law Dictionary, "negotiation includes deliberation, discussion, and conference upon the terms of a proposed agreement. It is the act of settling the terms and conditions of a bargain, sale, or other transaction. Negotiation is the transfer of act of putting into circulation of a negotiable instrument."
- 5. According to Lewicki, Barry, and Saunders (2012) in Dunn et al. (2015), negotiation is a process in which two or more parties seek to resolve the conflicting interests of each party.

Based on the relationship between the two parties, the negotiations between PT Surya Bratasena Plantation and the people of Pangkalan Kuras District were crisis negotiations. According to Spoelstra and Pienaar (2008:12), crisis negotiation is: "when one party elicits a confrontation by creating a crisis before negotiation starts, the negotiation that follows can be called crisis negotiation." The demonstration carried out by the people of Pangkalan Kuras Subdistrict was a form of confrontation from one of the parties before negotiations took place.

The relationship between PT Surya Bratasena Plantation and the people of Pangkalan Kuras Sub-district experienced tensions due to conflicts and confrontations by the Pangkalan Kuras District community. According to Fisher et al. (1999:34), emotions can affect the negotiation process, especially when there are differences in interests between the two negotiating parties. Worry, feeling threatened, and anger is emotions that can lead to negotiations ending in a dead-end and without results.

Before reaching the common ground point, framing is required. Framing is the process of defining a problem and considering it a matter of consensus and not a case of a dispute. Spoelstra and Pienaar (2008:83). The framing process has an essential role in determining the outcome of the negotiations (Neale et al., 1987).

The framing process, in this case, is when PT Surya Bratasena Plantation always maintains an open attitude to the demands made by the people of Pangkalan Kuras District to

find out the cause of the problem jointly. It was later found that there was an error in calculating the tool used to measure land many years ago.

The settlement of the land conflict that the people had demanded of Pangkalan Kuras Sub-district to PT Surya Bratasena Plantation was finally heeded positively by PT Surya Bratasena Plantation, who wanted to resolve the conflict peacefully. In this case, PT Surya Bratasena Plantation is open to the demands made by the people of the Pangkalan Kuras Subdistrict. It jointly seeks to find out the cause of the problem, which found an error in calculating the tool used to measure land many years ago.

The two-way negotiation process that occurred between PT Surya Bratasena Plantation and the people of Pangkalan Kuras Sub-district resulted in two proposed methods as a solution by PT Surya Bratasena Plantation that the community of Pangkalan Kuras District could choose, including:

## Swap Method

The swap method gives land as compensation to the people of Pangkalan Kuras District by PT Surya Bratasena Plantation to be transferred to another land. Its management will remain under the supervision of PT Surya Bratasena Plantation using a partner cooperation system with the Farmers Group. The crops from the land will then be processed by PT Surya Bratasena Plantation and then handed over to the Farmers Group for distribution to the community.

## Compensation

The compensation method is giving money, but the land ownership status will fully belong to PT Surya Bratasena Plantation. This compensation is a form of social cost and assistance to local farmers as a sign of peaceful conflict resolution. In determining the result, PT Surya Bratasena Plantation offers cooperation with the people of Pangkalan Kuras District as an option for conflict resolution because it is necessary to pay attention to the similarity of interests between the negotiating parties to provide a sense of optimism. Thus, they can overcome other differences easily and get rid of the feeling that both oppositions parties. This collaboration offer provides an opportunity for PT Surya Bratasena Plantation with the people of Pangkalan Kuras District to share the same goal, namely to manage an oil palm plantation together.

# **Obstacles to the Negotiation Process**

According to Zumaeroh (2010:136), when the conflict in the negotiation process has reached an extreme level, negotiations are threatened with being hampered and must be stopped (deadlocked). Suppose the conflict is not resolved, increased communication and tolerance between groups will be required. In the negotiation process, PT Surya Bratasena Plantation and the people of Pangkalan Kuras Sub-district had several obstacles.

## A provocation from other parties

Provocation from outside parties affects the community's decision in determining the method taken so that the community took longer to decide. At the same time, PT Surya Bratasena Plantation wanted to resolve the conflict as soon as possible.

## Opposite wishes with PT Surya Bratasena Plantation's Decision

The opposite wishes indicated that the community was dissatisfied with the last decision given. With this dissatisfaction, people needed more time to make their choice.

#### **CONCLUSION**

The land conflict between PT Surva Bratasena Plantation and the people of Pangkalan Kuras Sub-district is one of the cases of disagreement between the company and the surrounding community due to an operational error and resolved through negotiations between the two parties. Although the initial relationship between the two was not good because the people of Pangkalan Kuras Sub-district once held demonstrations, negotiations are still possible. Their relationship could affect the negotiation process where emotions can cause both parties to seem opposed and have different interests. Both parties need to put aside the differences and focus on the interests of sharing and feeling compatible. Initially, both parties assumed that differences in interests would conflict with the interests held with the differences. During the negotiations between the two parties, the community still felt different in interests between the two parties even though they had cooperated. Thus, PT Surya Bratasena Plantation needs to find out the interests, needs, and similarities with the people of Pangkalan Kuras Sub-district as compensation but still will not cause significant losses for the company. Based on this research, several implications related to the negotiation process to resolve land conflicts between Bratasena Plantation and the people of Pangkalan Kuras District are as follows. In conflict negotiation, emotions can affect the process and outcome of the negotiation. The negotiating party needs to reach the common ground stage where the negotiating party focuses on problem-solving and is not hampered by past conflicts and differences. In determining the result, PT Surva Bratasena Plantation offers cooperation with the people of Pangkalan Kuras District as an option for conflict resolution. Both negotiating parties need to pay attention to the similarity of interests between the two to provide a sense of optimism to easily overcome other differences and get rid of the feeling that the two parties are opposed.

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