

Improving The Prosperity of the Communities Around the Area Forests to Combat Illegal Criminal Acts Logging in Blora Regency

Karinena Putri Damarissa

Faculty of Law, Universitas Islam Sultan Agung, Semarang, Indonesia, E-mail:
karinenaputridamarissa.std@unissula.ac.id

Abstract. *Illegal logging in Blora Regency is a problem influenced by the low level of welfare of communities surrounding forest areas, their high dependence on forest products, and weak forest area supervision. The community's low economic conditions have led some to engage in illegal logging as a means of meeting their living needs. Illegal logging practices not only cause state losses, but also result in environmental damage and disruption of forest sustainability. This study aims to determine the relationship between the welfare of communities around forest areas and the level of illegal logging crimes in Blora Regency, to determine strategies to improve community welfare, and to understand the implementation of criminal law and the role of the government in preventing illegal logging crimes. The research method used in this study is an empirical juridical method with a legislative approach and a sociological approach. Data sources consist of primary and secondary data obtained through literature studies, laws and regulations, books, scientific journals, as well as the results of interviews and observations in the Blora Regency area. Data analysis was carried out descriptively qualitatively to obtain an overview of the relationship between community welfare and illegal logging crimes and the implementation of criminal law in overcoming them. Economic factors, unemployment, and low levels of education are the main causes of communities engaging in illegal logging. The implementation of criminal law against illegal logging crimes has been carried out through preventive and repressive efforts based on Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, but its implementation has not been optimal due to limited supervisory officers, the vastness of forest areas, and low public legal awareness. The government plays an important role through forest area supervision, social forestry programs, community economic empowerment, and legal counseling to suppress illegal logging crimes and maintain the sustainability of forest areas in Blora Regency.*

Keywords: *Criminal; Enforcement; Forestry; Law; Social.*

1. Introduction

The Unitary State of the Republic of Indonesia is one of the major countries that places great emphasis on applicable legal provisions. The positive legal regulations in force in Indonesia are clearly an important component in building a peaceful life safe, peaceful, and secure. 2 Along with the development of modern society in the face of globalization, as well as the processes of industrialization and modernization, this will trigger changes in social processes within the social order. The processes of industrialization and modernization, especially forest industrialization, have had a significant impact on the sustainability of forests as a support for life and the survival of living things in the world.

Forests are a very important resource, not only as a source of wood, but more so as one component of the environment. Forest areas in Blora consist of various types of forests, including protected forests, production forests, and community forests. Protected forests function as nature conservation areas with high conservation value. Production forests are forest areas managed for sustainable and continuous wood utilization activities. Meanwhile, community forests are forests owned, managed, and utilized by local communities Based on Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, Article 1 paragraph (1) states that wealth consists of various elements, one of which is "forest." Forests are ecosystem units in the form of expanses of land containing biological natural resources dominated by trees in a natural community environment, which cannot be separated from each other. 4 In addition to Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, there are also government regulations and regional regulations that regulate forest management and environmental protection. Government Regulation Number 6 of 2007 concerning Forest Planning and the Blora Regency Regional Regulation that regulates Forest Protection in Blora Regency. In Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction (UUP3H) Article 12 letter d states that "Loading, unloading, removing, transporting, controlling, and/or possessing felled timber in forest areas without permission." To achieve this goal, the government in UUP3H stipulates criminal provisions in Chapter X Article 83 which states that "Loading, unloading, removing, transporting, controlling, and/or possessing felled timber in forest areas without a permit as referred to in Article 12 letter d can be punished with imprisonment of at least 1 (one) year and a maximum of 5 (five) years, and a fine of at least IDR 500,000,000.00 (five hundred million rupiah) and a maximum of IDR 2,500,000,000.00 (two billion five hundred million rupiah)." On the outskirts of forest areas, many cases are found where the perpetrators are individuals or community members who are driven by economic reasons. These people cut down trees in the forest without a permit, then are arrested, detained, and charged with the crime of illegal logging as regulated in Article 50 of Law Number 41 of 1999 concerning Forestry (Forestry Law). Logging, or more

commonly known as illegal logging, is the activity of cutting down forests, transporting timber, and selling timber, which poses a real threat around illegal borders or without permission from the authorities. This activity can cause pollution and environmental damage, which directly impacts environmental sustainability. Illegal logging practices that ignore forest sustainability result in the destruction of invaluable forest resources. People's lives are also directly impacted, as state revenues decrease along with the loss of local biodiversity. 5 Weaknesses in law enforcement raise concerns among the public. Therefore, the government must improve the performance of law enforcement officers, including in handling cases of illegal logging and other crimes in the forestry sector. The government must be consistent in enforcing the law against all violators in the forestry sector.

Law enforcers may face physical threats from illegal groups involved in illegal logging, making it difficult for them to carry out their duties safely. In addition to law enforcement measures, public education and awareness must also be improved. Low levels of public awareness about the impacts of illegal logging and the importance of supporting law enforcement can make people less cooperative in providing information or cooperating with law enforcement. Communities need to be given an understanding of the importance of forest conservation and the negative impacts of illegal logging on the environment and their own lives.

2. Research Methods

The type of research used in this thesis is empirical (sociological) legal research. Empirical legal research is a study that examines law as real, lived behavior in society (law in practice), not simply as written norms (law in books). In the context of this research, the law is examined in relation to the welfare of forest community members and efforts to eradicate illegal logging in Blora Regency. The choice of empirical research methods is based on the consideration that the problem of illegal logging cannot be fully understood through normative studies alone, but must be examined based on social realities involving forest community members, law enforcement officials, and forest management institutions. This approach includes a review of relevant laws and regulations, including Law Number 41 of 1999 concerning Forestry, Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction, and Law Number 32 of 2009 concerning Environmental Protection and Management. A case-based approach is used to examine illegal logging cases in Blora Regency, including court decisions, investigations by law enforcement agencies, and out-of-court settlements. Descriptive-analytical research, which focuses on presenting the research object. The purpose of a descriptive research design is to obtain a comprehensive picture of the legal conditions prevailing in a particular place and at a particular time. The legal conditions prevailing at that time are highly dependent on developments in the social situation and dynamics related to the criminal aspects of illegal logging.

The data used in this study consists of primary, secondary, and tertiary sources. Primary sources include the 1945 Constitution, the Criminal Code, Law Number 41 of 1999 concerning Forestry, and Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. Secondary sources include books, research findings by legal experts, undergraduate theses, and master's theses. Tertiary data consists of legal dictionaries and the KBBI (Big Indonesian Dictionary). Data analysis in this study was carried out qualitatively, namely by processing and interpreting primary and secondary data systematically in order to obtain a comprehensive understanding of the research carried out comprehensively regarding the research problem. Qualitative data analysis was by examining all available data from various sources, namely interviews, field notes, personal documents, official documents, and by testing the data based on relevant concepts, theories, and regulations, as well as responses obtained from respondents; through this method, it is hoped that clear data can be obtained regarding the core of the problem.

3. Results And Discussion

3.1 The Relationship between the Welfare of Communities Surrounding Forest Areas and Illegal Logging Crimes and Strategies to Improve Welfare

Blora Regency, a regency in Central Java Province, boasts extensive teak forests, most of which are managed by the state-owned forestry company Perum Perhutani. These forests have significant economic value and provide a livelihood for the communities surrounding them. However, limited job opportunities, low levels of education, and high levels of poverty have forced some residents to rely on forest products for their livelihoods, both legally and illegally.

People living around forest areas generally work as farmers, farm laborers, firewood collectors, forest land cultivators, and in other informal sectors. This high dependence on forests makes communities vulnerable to involvement in illegal logging when economic conditions worsen. Research on the socioeconomic conditions of communities living around forests in Blora shows that low levels of community welfare are a major factor driving illegal logging. A thesis study on the socioeconomic impacts of illegal logging in the Blora Forest Management Unit (KPH) explains that the community's low economic status forces them to exploit the forest to meet their daily needs. Community welfare is closely linked to illegal logging. The lower the standard of living of communities living around the forest, the more likely they are to engage in illegal logging as a means of meeting their economic needs. Illegal logging often triggers conflict between local communities, law enforcement, and forest managers. Illegal logging often involves organized networks that can disrupt regional security. Low levels of community welfare This leads to increased economic pressure, forcing communities to engage in illegal forest exploitation. Conversely, if community welfare is improved through job creation, economic empowerment, and community involvement in forest

management, the rate of illegal logging can be reduced. Therefore, a community welfare approach must be an integral part of policies to eradicate forest-related crime in Blora Regency.

According to social criminology theory, economic factors are one of the main causes of crime. Soerjono Soekanto argues that poverty and social inequality can encourage people to break the law in order to survive. In the context of forest areas, In Blora Regency, for example, the weak economic conditions of the community have caused some of its members to carry out illegal forest exploitation.

Future forest development efforts face challenges in line with demands for a new paradigm regarding: efficient forest management and resource conservation, demands for regional autonomy, and demands for community empowerment. Therefore, forest management involves three parties: Perum Perhutani, local governments, and communities surrounding forest areas. Forest managers aim to improve their operational efficiency while ensuring forest sustainability both in terms of its natural condition and protection against theft by communities living around the forest. From the perspective of communities living around the forest, the existence of forests offers the hope of employment opportunities, thereby improving their socio-economic conditions. Meanwhile, local governments hope that forest management will contribute to rural development in areas surrounding the forest. The forest management model must provide benefits. For the government/Perhutani, these benefits include: Increasing the efficiency of forest management by Perhutani; Improving and maintaining the sustainability of forest resources; Reducing the risk of illegal logging. For the community, the benefits include: Creating more jobs; Increasing community income. For local governments, the benefits are as follows: Boosting the regional economy; Cultivating a sense of community ownership of the forest.

The Job Creation Law includes new provisions on social forestry that provide opportunities for communities, forest farmer groups, cooperatives, and indigenous peoples to gain legal access to forest management.

These provisions aim to reduce forestry conflicts and suppress illegal forest exploitation. Under Articles 29A and 29B of the Forestry Law, as amended by the Job Creation Law, the government prioritizes community forest management through a social forestry scheme. This policy serves as a form of protection and empowerment for communities living around forest areas, enabling them to obtain legitimate economic benefits from these areas.

Although the Job Creation Law offers opportunities to improve the welfare of communities living around forest areas, its implementation still faces various challenges. Timber theft not only harms the state but also directly impacts communities living near forest areas, resulting in environmental damage, reduced

agricultural productivity, economic losses, and social and security conflicts.

In addition, the research findings were analyzed using Barda's crime prevention theory. Nawawi Arief, who stated that crime prevention cannot be achieved only through a criminal law approach or criminal law enforcement, but must also be handled through a non-criminal approach such as improving welfare, community and implementing social policies. Based on this theory, eradicating illegal logging in Blora Regency must be carried out through a preventive and sustainable approach, namely by improving the welfare of communities living around forest areas. Strategies for improving community welfare identified in this study include community economic empowerment, development of micro and small enterprises, job creation, development of non-timber forest products, vocational training, and implementation of social forestry programs. Social forestry programs, reinforced by the Job Creation Law, provide legal access for communities to manage forest areas productively and sustainably, enabling them to earn income without having to engage in illegal logging. Research findings indicate that as community welfare improves, their dependence on illegal logging activities will decrease.

The research results show that as community welfare improves, their dependence on illegal logging activities will decrease. Therefore, the theory used in this study proves that community welfare is a crucial factor in determining the level of illegal logging in Blora Regency. Therefore, efforts to eradicate illegal logging cannot rely solely on criminal law enforcement but must also be addressed through initiatives to improve community welfare and sustainable economic empowerment to ensure forest conservation.

3.2 Implementation of Criminal Law in Addressing Illegal Logging in Blora Regency and the Government's Efforts to Prevent It

Law enforcement can begin by examining what will be enforced. This does not mean conducting useless studies. Therefore, to gain clarity regarding the law enforcement process, the issue must be examined. The basic concept is that law enforcement begins when legislation is enacted or implemented. Law enforcement is the process of realizing the objectives of the law.

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Management; the Criminal Code (KUHP); and Law Number 6 of 2023 concerning the Ratification of the Government Regulation in Lieu of Law (Perppu) concerning Job Creation into Law.

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Based on the author's interview with the Chief of Police of Blora Regency, represented by Mr. Arif Setiawan, Head of the Administrative Affairs Section of the Criminal Investigation Unit, it was stated that the role of the Blora Regency Police in preventing illegal logging includes all efforts aimed at prevention, which have been implemented in accordance with applicable laws and regulations. Based on these regulations, anyone proven to have committed illegal logging will be subject to severe sanctions. This is done to create a deterrent effect. The legal provisions used to prosecute perpetrators of illegal logging are those contained in Law Number 41 of 1999 concerning Forestry, which has been amended by Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction.

Before the enactment of Law Number 41 of 1999 concerning Forestry, the action felling, cutting, taking, and transporting forest wood without permission from authorized officials is regulated in the provisions of the Criminal Code (KUHP); however, after the enactment of Law Number 41 of 1999 concerning Forestry, the act of utilizing forest wood without permission from authorized parties is subject to criminal sanctions as regulated in Article 50 in conjunction with Article 78 of Law Number 41 of 1999 concerning Forestry or Articles 82 to Article 109 of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction.

Based on the results of a study in Blora Regency, the implementation of criminal

law to eradicate illegal logging has been carried out through preventive and repressive measures in accordance with the provisions of Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. Preventive measures are carried out through forest patrols, monitoring the circulation of forest products, legal education for the community, and community involvement in protecting forest areas. Meanwhile, repressive measures are carried out through investigations, examinations, arrests of perpetrators, confiscation of evidence, and the imposition of criminal sanctions on illegal loggers.

The research findings were then analyzed using the law enforcement theory proposed by Soerjono Soekanto. According to this theory, the effectiveness of law enforcement is influenced by five factors: legal factors, law enforcement, resources and facilities, the community, and legal culture. Based on the research findings, it was concluded that criminal law enforcement related to illegal logging in Blora Regency is not optimal due to various obstacles, such as the vast forest area, limited number of supervisory personnel, inadequate monitoring resources, and awareness low community law, as well as the involvement of organized networks in illegal logging practices.

The government is responsible for monitoring and securing forest areas to prevent illegal logging. This monitoring is carried out through collaboration between the Forestry Service, Perhutani, the police, the Indonesian National Armed Forces (TNI), and local government officials. This monitoring includes: routine patrols in forest areas; joint operations to eradicate illegal logging; monitoring forest product distribution routes; checking timber transport documents; and guarding areas vulnerable to illegal logging. Research on law enforcement against illegal logging in Blora Regency shows that integrated patrols conducted by forestry officers and police are quite effective in reducing illegal logging activities in several forest areas from a legal perspective, regulations regarding the crime of illegal logging are actually quite clearly stipulated in Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. However, in practice, there are still obstacles in monitoring and law enforcement in the field. From the perspective of law enforcement agencies, the limited number of forestry officers and inspectors means that monitoring of forest areas cannot be carried out optimally. Furthermore, social and legal-cultural factors also influence the effectiveness of law enforcement, as some communities still view logging as a common practice to meet economic needs. Furthermore, the research findings are analyzed using Barda Nawawi Arief's crime prevention policy theory, which states that crime prevention is not only achieved through criminal law or criminal justice approaches, but also through non-criminal approaches such as social policies and improving community welfare. Based on this theory, the application of criminal law in combating illegal logging in Blora Regency cannot rely solely on law enforcement, but must also be supported by the empowerment of communities living around forest areas. Research findings indicate that the government plays a

crucial role in preventing illegal logging through forest monitoring, implementing social forestry programs, community economic empowerment, legal education, and improving the welfare of communities living near forest areas. The social forestry program, strengthened by the Job Creation Law, provides legal access for communities to manage forest areas productively and sustainably, thus offering a legitimate alternative source of income and preventing illegal logging. Furthermore, local governments, in collaboration with Perhutani, the police, and forestry officials, conduct joint patrols and law enforcement operations in forest areas to prevent illegal logging practices. These efforts demonstrate that preventing illegal logging crimes requires synergy between the government, law enforcement agencies, and communities. Thus, based on the theoretical analysis used in this study, it can be concluded that the application of criminal law in eradicating illegal logging in Blora Regency is not fully effective if it only relies on a repressive approach through criminal law enforcement.

Efforts to eradicate illegal logging must be carried out comprehensively through criminal and non-criminal approaches, namely through firm law enforcement, strengthening forest area supervision, improving community welfare, social forestry programs, and increasing public legal awareness to ensure the sustainability of forest areas.

4. Conclusion

Illegal logging There is a close relationship between the level of welfare of communities around forest areas and the occurrence of crime in Blora Regency. Low levels of community welfare, limited employment opportunities, low levels of education, and high dependence on forest products are the encourage communities to engage in illegal logging. Weak economic conditions cause some communities to exploit forest areas illegally to meet their daily needs. Strategies to improve community welfare in overcoming crime are carried out through community economic empowerment, development of micro and small businesses, provision of employment, job skills training, development of non-timber forest products, and social forestry programs that provide legal access to communities to manage forest areas productively and sustainably. The social forestry policy, strengthened through the Job Creation Law, is one of the government's illegal logging efforts to improve community welfare while maintaining forest sustainability. The implementation of criminal law in addressing criminal acts in Blora Regency has through preventive and repressive efforts based on Law Number 18 of 2013 concerning the Prevention and Eradication of Forest Destruction. These efforts include forest area patrols, forest product monitoring, investigations, prosecutions, arrests of perpetrators, and the application of criminal sanctions against perpetrators. The implementation of criminal law in addressing crime in Blora Regency has not been running optimally because there are still various as the vastness of the forest area, the limited number of supervisory illegal logging officers, the lack of supervisory

facilities, low public legal awareness, and the involvement of organized networks in illegal logging practices. The government has an important role in efforts to prevent criminal acts through the formation of forestry policies, forest area monitoring, law enforcement, social forestry programs, community empowerment, and legal counseling to communities around forest areas. Addressing criminal acts cannot only be done through a repressive approach in the form of but must also be done through a sustainable approach to community welfare and economic empowerment. With the synergy between the government, law enforcement officers, Perhutani and the community in protecting forest areas and improving the welfare of communities around forest areas, criminal can be minimized and forest sustainability can be maintained sustainably for the benefit of current and future generations illegal logging.

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