



Criminalization and Land Rights Conflict

The Indigenous People's Struggle against PT Toba Pulp Lestari

Musdodi Frans Jaswin Manalu

Universitas Gadjah Mada

musdodifransjaswinmanalu1995@mail.ugm.ac.id

Abstract

This study investigates the conflicts between Indigenous Communities and PT Toba Pulp Lestari (TPL) in North Sumatra, focusing on disputes over customary land claims and the criminalisation of indigenous activists. Cases such as the detention of Sorbatua Siallagan illustrate the misuse of power by TPL, often with governmental support. Employing a descriptive qualitative methodology and grounded in Ralf Dahrendorf's Social Conflict Theory, this research analyses the patterns of conflict, revealing TPL's monopolistic practices through data manipulation, the use of violence, and the dissemination of propaganda. The findings underscore the necessity of upholding indigenous rights and implementing inclusive policies to achieve sustainable conflict resolution.

Keywords: Indigenous People, land grabbing, social conflict, PT Toba Pulp Lestari, Ecological Disaster



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Introduction

Sorbatua Siallagan, an elder from the Ompu Umbak Siallagan Indigenous Community in Simalungun Regency, North Sumatra, has been imprisoned on suspicion of illegally occupying and damaging the concession forest of PT Toba Pulp Lestari (TPL). Sorbatua was reported by the company for allegedly occupying, damaging, cutting down, and burning parts of the concession forest, which overlaps with the community's customary territory. The 65-year-old grandfather is currently detained in the North Sumatra Regional Police prison. The Aliansi Masyarakat Adat Nusantara (AMAN) Tano Batak has suggested that Sorbatua's arrest represents a form of "criminalisation" amid the community's ongoing struggle to reclaim their customary land (BBC News, 2024). This case has provoked significant concern, as it highlights the persistence of such injustices in an era ostensibly defined by democracy—a time when freedom of speech should be upheld without interference, property rights should be protected without fear of criminalisation, and human rights should be universally respected.

Upon further investigation, it became evident that TPL has a history of arbitrary actions against Indigenous Communities within its concession areas. During the New Order era, particularly between 1986 and 1998, TPL—then known as PT Indorayon Inti Utama (IIU)—engaged in discriminatory practices against local communities, as detailed in the works of Silaen (2005) and Manalu (2007). These actions sparked numerous social movements, often supported by the Church (D. Manalu, 2007; Silaen, 2005). In the Reformation era, villagers from Nagahulambu and hundreds of residents from Dolok Panribuan sub-district, Simalungun Regency, staged a protest at the TPL Aek Nauli sector office, demanding the return of agricultural land seized by the company (Manurung et al., 2022). According to Agustin Simamora of the AMAN Tano Batak Advocacy Bureau, between 2013 and 2021, 50 indigenous individuals from communities across Humbang Hasundutan, North Tapanuli, Toba Samosir, and Simalungun districts were criminalised by TPL (Wicaksono, 2021). Furthermore, TPL has been embroiled in conflicts with the Panduaman-Sipituhuta Indigenous Community over control of incense forests (*tombak haminjon*) in Pollung District, Humbang Hasundutan Regency. These disputes stem from the community's assertion of customary land rights, which include individual and collective management of forests within the incense forest area (Baringbing, 2017; OK Hasnanda & Anggraini, 2023). Additionally, clashes between TPL workers and the Natumingka Indigenous Community resulted in injuries to dozens of Indigenous People (IDN Times, 2021; Mongabay, 2021). These incidents chronicle the ongoing struggles of Indigenous Communities defending their rights against TPL's alleged encroachment on ancestral lands passed down through generations. Collectively, they illustrate TPL's contentious history with Indigenous Peoples in areas where the company has held concessions since its establishment.

Returning to the case of Sorbatua, TPL's public relations officer, Solomon Sitohang, has described the incident as a "pure criminal act." Solomon asserted that the Ompu Umbak

Siallagan community had never formally submitted a customary land claim through the social forestry scheme to the company. Similarly, the police, represented by the Head of Public Relations of the North Sumatra Police, Hadi Wahyudi, stated that Sorbatua had no legal basis or right to occupy or work within the forest area, which falls under TPL's concession. However, it is important to note that the Ompu Umbak Siallagan community has inhabited the region for centuries, long before IIU was granted operational rights in 1983 (Widadio, 2024).

This case mirrors previous instances of TPL's criminalisation of Indigenous Peoples, where the government has systematically disregarded ancestral land claims due to the absence of formal legal titles. As such conflicts recur almost annually, several research gaps emerge. Firstly, on what legal or moral basis does TPL assert its claims over indigenous lands? Secondly, why does the State consistently support TPL's criminalisation tactics? Thirdly, what recourse do Indigenous Communities have when ancestral lands are seized solely due to the lack of formal documentation? Addressing these questions will shed light on how corporations like TPL legitimise their claims over customary lands and inform policies on natural resource management. Understanding the root causes of these conflicts is essential for developing sustainable solutions that uphold the rights of Indigenous Peoples. This research also aims to bolster advocacy efforts, empowering Indigenous Communities to more effectively defend their land and heritage.

This paper employs a descriptive qualitative research method to explore and elucidate the experiences, perceptions, and behaviours of individuals or groups (Pfister et al., 2023). This approach aims to provide a comprehensive and nuanced understanding of the relationship between Indigenous Communities and PT Toba Pulp Lestari (TPL) in recent years, particularly from 2021 to the present. The collected data will be analysed using a thematic approach to identify recurring patterns and themes, offering deeper insights into the dynamics of the conflict.

The grand theory underpinning this research is Ralf Dahrendorf's Social Conflict Theory, as articulated in his seminal work, *Class and Class Conflict in Industrial Society* (1959). Dahrendorf's theory emphasises the role of conflict between social classes and interest groups in modern society, as well as the function of institutions in regulating such conflicts. This theoretical framework is particularly useful for understanding the dynamics of the conflict between Indigenous Communities and TPL. It allows for an analysis of the tensions between different social strata—such as Indigenous Peoples, who may occupy a lower position in the social hierarchy, and corporations like TPL, which represent a more dominant class. Furthermore, Dahrendorf's theory provides a lens through which to examine how the struggles of Indigenous Peoples against TPL reflect broader patterns of conflict in contemporary society.

The findings of this research, as demonstrated through authentic evidence from diverse sources, reveal that TPL has systematically monopolised power over Indigenous Communities. This has been achieved through various means, including collaboration with the State to secure concession certificates for property rights, the use of violence and repression

to quell protests, the legitimisation of ideologies to establish hegemony among certain community groups, the manipulation of operational data, and the dissemination of propaganda to enhance the company's public image. These strategies highlight the structural and institutional mechanisms that perpetuate the marginalisation of Indigenous Peoples.

The data for this study were drawn from analysed papers, news articles, and supplementary literature. While the articles discuss significant events spanning the past 25 years, the news reports examined focus on developments within the last five years, ensuring the relevance and timeliness of the research. The purpose of this document analysis is twofold: first, to critically assess the applicability of Dahrendorf's Social Conflict Theory to the realities faced by Indigenous Communities, and second, to provide evidence of the profound impact TPL has had on local communities and the environment. This analysis underscores the urgent need to address the systemic issues underlying these conflicts and to advocate for the rights of Indigenous Peoples.

To Whom Does Customary Land Belong?

According to Indonesian law, customary land is not owned by individuals but by customary law communities. This principle is enshrined in several legal provisions. Article 33, paragraph 3 of the 1945 Constitution stipulates that land, water, and natural resources are controlled by the State and must be utilised for the greatest prosperity of the people. Similarly, Article 5, paragraph 1 of Law No. 5/1960 on Basic Agrarian Principles affirms that the State controls the earth, water, and natural resources for the people's benefit. Furthermore, Article 18, paragraph 1 of Law No. 23 of 2014 on Regional Government explicitly recognises and protects customary land rights (Safitri, 2017).

The recognition and protection of customary land rights are grounded in several key considerations. First, customary land is integral to the identity and cultural heritage of Indigenous Peoples. Second, it sustains the livelihoods of these communities. Third, it plays a critical role in environmental conservation (Veronika & Winanti, 2021). Although customary land is not individually owned, customary law communities retain the right to control, utilise, and manage it in accordance with their traditions and needs. They are also responsible for preserving and deriving benefits from these lands. Consequently, the government is obligated to recognise and protect customary land rights while supporting Indigenous Communities in sustainably managing and utilising their lands (Gayo, 2018).

However, these legal protections are not consistently enforced in certain TPL concession areas, such as those inhabited by Indigenous Communities in Natumingka, Nagaluhambu, Natinggir, Sihaporas, and around Lake Toba. The regulations remain ineffective as long as TPL continues to oppress and dispossess Indigenous Peoples of their customary lands. Compounding this issue is the State's intervention, which appears to favour TPL over Indigenous Communities, primarily due to the latter's lack of officially issued land certificates. This situation is further exacerbated by the State's apparent preoccupation with administrative formalities rather than the tangible benefits of protecting indigenous rights.

This research reveals that Indigenous Communities in conflict with TPL possess greater experience and expertise in managing their customary territories compared to TPL. This will be substantiated in the subsequent discussion, which examines TPL's responses to ecological disasters resulting from its exploitative practices. Additionally, the research will analyse the strategies employed by TPL to maintain its dominance over marginalised Indigenous Communities.

Division of Power and Securing Positions in the Social Structure

Ralf Dahrendorf's social conflict theory introduces the concept of imperatively coordinated associations, which refers to a complex social structure where individuals and groups engage in various social associations or relationships (Dahrendorf, 1959, p. 18). Dahrendorf argues that in modern societies, social relations are not solely based on cooperation or voluntary agreement but are also shaped by power distribution and inequalities in access to resources and benefits (Dahrendorf, 1959, pp. 18–19). In other words, modern societies tend to be hierarchically structured, with groups of differing interests—particularly economic interests—competing to secure advantages and solidify their positions within the social hierarchy (Dahrendorf, 1959, pp. 33–34).

This theory will be examined through a brief historical overview of the establishment and evolution of the PT Indorayon Inti Utama (IIU) factory. Established in 1983 in Porsea under the framework of the Domestic Investment Law No. 6 of 1968, the factory's founding was formalised through an act approved by the Minister of Justice of the Republic of Indonesia and announced in the Berita Negara Republik Indonesia No. 97, dated 4 December 1984, Supplement No. 1176 (Manurung et al., 2022). The factory was founded by Sukanto Tanoto, who initially held complete control over the company. Between 1990 and 1992, the shareholder structure expanded to include Sukanto Tanoto as the majority owner, alongside PT Adimitra Rayapratama, PT Indo Rayonesia Lestari Ltd, and public shareholders. A subsequent debt conversion led to further changes in shareholding. By 2008, Pinnacle Company emerged as the largest shareholder, holding 92.423% of the shares (valued at Rp 1,283,649,894), while the public retained only 7.577% (Rp 105,233,389) following a tender offer for Raja Garuda Mas shares. Notably, the tender offer was conducted at a price below the nominal value of the shares. As a result, Sukanto Tanoto remains the ultimate stakeholder of TPL to this day, with the public holding only a minimal share for local interests (M. F. J. Manalu, 2023).

This historical trajectory demonstrates that Sukanto Tanoto's effective ownership of TPL has remained largely unchanged over time. Tanoto and his associates at Pinnacle Company Pte Ltd have employed various strategies to maintain legal ownership of TPL, despite a minor share distribution in 1990–1992 aimed at attracting investors. This aligns with Dahrendorf's (1959) assertion that groups secure their positions to advance economic interests (Dahrendorf, 1959, p. 33). Such positional security is achieved when capital owners dominate property rights, thereby influencing the management and utilisation of

resources under their control.

Scholars have expressed differing views on Dahrendorf's theory. Supporters, such as Kühne (2019), highlight Dahrendorf's contributions to liberalism, civil society, and the constitutional concept of freedom, which emphasise individual autonomy and its protection from societal expectations (Kühne, 2019). Similarly, Strubenhoff (2018) endorses aspects of Dahrendorf's theory that focus on conflict and competing interests within society (Strubenhoff, 2018). In essence, dominant capital owners ensure their supremacy by marginalising other societal groups, maintaining their position at the apex of the social hierarchy, and consolidating their power.

Conversely, some scholars critique Dahrendorf's theory. Binns (1977) argues that the theory is flawed due to its metaphysical assumptions about the primacy of authority relationships in the formation of conflict groups (Binns, 1977). Tiemstra (1984) challenges the notion that profit-driven entities can form genuine communities, asserting that the pursuit of profit is inherently self-centred (Tiemstra, 1984). These critiques, emerging from scholars of the 1970s and 1980s, illustrate that Dahrendorf's theory is not universally applicable across all contexts.

Despite these debates, it is evident that Sukanto Tanoto and his associates occupy a nearly unassailable position at the top of the power hierarchy. This is underscored by the numerous demonstrations held by communities demanding their customary land rights, none of which have resulted in Tanoto's direct involvement or response. Remarkably, it appears easier for communities to engage with government officials—such as members of the DPRD, regents, governors, and even the president—than with Tanoto and his associates (Mongabay, 2021). This further solidifies the argument that dominant economic actors, like Tanoto, remain insulated from direct accountability, reinforcing their entrenched position within the social structure.

Exploring How TPL Maintains its Hierarchy

In social conflict theory, Ralf Dahrendorf analyses how individuals in the upper social classes maintain power through various mechanisms. This discussion explores how Dahrendorf developed his theory and relates it to TPL's methods of preserving its hierarchical structure.

Monopoly of Power to Violence and Repression

The elite class possesses access to crucial resources and institutions, including education, politics, and the economy. They utilise this control to enforce favourable regulations and restrict social mobility (Dahrendorf, 1959, p.34). Presently, TPL commands access to natural resources by controlling approximately 167,912 hectares of concession land, encompassing cultivated areas, protected zones, and conservation regions (TPLKonsesi, 2024). Additionally, since 2014, TPL has implemented a self-imposed moratorium, sig-

nifying that the company refrains from developing any new areas within plantable land before conducting a High Conservation Value (HCV) assessment. Consequently, their concession land remains unchanged annually. This policy forms part of the company's commitment to sustainability and responsible environmental management (TPLMoratorium, 2024).

However, TPL has violated this 2014 self-moratorium. This section concentrates on events post-2014, although since 1986, the factory has engaged in multiple appropriations of community customary land. Conflicts with the Sihaporas Indigenous Community have persisted since 1986. In 2015, following the self-moratorium declaration, dozens of TPL workers employed heavy machinery to clear land bordering the customary territory of Matio Village, causing significant amounts of soil to accumulate in several residents' rice fields. Some farmers, feeling aggrieved, retaliated against TPL employees, ultimately leading to a legal battle at the Balige District Court. The farmers underwent four court sessions before being declared guilty and imprisoned (Simangunsong, 2022). A similar situation unfolded for the Ompu Punduraham Simanjuntak Indigenous Community in Natumingka Village, who resisted the attempted land seizure by TPL. This upheaval involved hundreds of people, resulting in numerous injuries due to clashes with TPL workers. Ultimately, these indigenous individuals were designated as suspects for defending their customary territories (Mongabay1, 2021; TPLdanNatumingka, 2021).

TPL also appropriated approximately 266 hectares, equating to 75% of the customary land in Nagaluhambu Village, situated in Dolok Panribuan sub-district, Simalungun Regency. This process began in 2005 and persisted until 2021 (FWI, 2021). On 31 July 2022, TPL deployed casual labourers to plant eucalyptus trees on the land belonging to the Natinggir Indigenous Community in Simare Village, Borbor District, Toba Regency. This act was perceived as an attempt to seize the community's customary territory, prompting resistance from the Natinggir community, who uprooted the eucalyptus trees planted by TPL workers. The conflict escalated, culminating in residents involved in the altercation being designated as suspects and facing threats of criminalisation by TPL (Sihotang, 2022). Given the vast number of incidents occurring from 2014 to the present, it is unfeasible to summarise all reports. However, according to Komnas HAM Commissioner Mohammad Choirul Anam, over the past decade, at least 26 cases have emerged regarding alleged human rights violations against Indigenous Communities in the Lake Toba region. These issues extend beyond customary land seizures to encompass the criminalisation of Indigenous Peoples (Andriansyah, 2021).

Let us examine some of the events mentioned above. A clear pattern emerges: Indigenous Peoples assert their ancestral mandate as customary landowners, a status they have maintained for tens to hundreds of years. In contrast, TPL, a relatively recent entity supported by the state, suddenly asserts ownership over the land, claiming it as part of its concession based on official state-issued certificates. When Indigenous Communities resist and clash with TPL, those who injure TPL personnel are deemed suspects and imprisoned.

Conversely, when TPL personnel harm Indigenous Community members, such inci-

dents are merely regarded as cases of criminalisation, often without any legal consequences. Ultimately, this pattern results in the subjugation of Indigenous Peoples, legitimising their persecution and criminalisation on the grounds that their resistance contravenes state regulations.

This dynamic aligns with Dahrendorf's theory of the monopoly of power, wherein TPL, as the dominant entity, is able to create and enforce laws at will—such as certificates and official documents recognising land ownership—backed by the state to preserve its hierarchical authority (Dahrendorf, 1959, p. 34). Consequently, Indigenous Peoples, who inherit oral mandates to safeguard their ancestral land, find themselves powerless as the state does not recognise orally transmitted legal claims. Written documentation, as the most authoritative legal instrument, becomes a tool to subjugate indigenous groups, who may not be well-versed in the complexities of modern legal frameworks. In this sense, Indigenous Peoples can be viewed as victims of a monopoly of power.

Dahrendorf (1959) further posits that the ruling class employs violence and repression to suppress resistance and uphold the existing social order. Law enforcement agencies, the military, and other institutions are mobilised to control the lower class, exemplified by arrests and detentions of activists, the dissolution of labour organisations, and the use of violence against protestors (Dahrendorf, 1959, pp. 210–212). While the precise number of violent and repressive acts committed by TPL against Indigenous Communities since the factory's establishment remains uncertain, its presence appears inextricably linked to episodes of violence and bloodshed within the affected communities.

Ideology and Hegemony

The ruling class disseminates ideologies and values that uphold the status quo and legitimise social inequality. Mass media, education, and religion are often utilised to propagate these ideologies (Dahrendorf, 1959, pp. 245–246). Through an extensive review of various mass media sources, I found that religion plays a significant role in “polishing” TPL's image in cyberspace.

The Huria Kristen Batak Protestan (HKBP) Ajibata Church expressed appreciation for TPL's support in constructing a retaining wall around its church (TPLBantuHKBP1, 2017). HKBP Siruar has received multiple forms of assistance for the construction of retaining walls and roads surrounding its churches (TPLBantuHKBP2, 2019). The Head of Development at HKBP Resort Marom expressed gratitude to TPL for its contribution to repairing the church's roof and asbestos, ensuring greater comfort for the congregation during worship (TPLBantuHKBP3, 2019). To facilitate the successful construction of HKBP Tiberias, TPL provided 100 sacks of cement (TPLBantuHKBP4, 2021). Similarly, HKBP Sipituhuta in Sipituhuta Village, Humbang Hasundutan, received building materials from TPL (TPLBantuHKBP5, 2022). HKBP Hutagalung, home to 170 families, was also granted material aid amounting to 100 million Rupiah for the construction of a cistern (TPLBantuHKBP6, 2021).

HKBP Maranatha Silamosik benefitted from church construction assistance from TPL

(TPLBantuHKBP7, 2017), while HKBP Simarigung in Dolok Sanggul received renovation support (TPLBantuHKBP8, 2021). HKBP Aek Nauli, located in Aek Nauli Village, was recorded as having received 300 sacks of cement from TPL (TPLBantuHKBP9, 2018). Similarly, HKBP Simallopuk Dairi was provided with 100 sacks of cement as part of Christmas aid from TPL (TPLBantuHKBP10, 2018). As part of its commitment to “growing with the community,” TPL donated 190 sacks of cement to HKBP Baniara in Partungko Naginjang Village, Samosir (TPLBantuHKBP11, 2021). Additionally, HKBP Gunung Pariama received hundreds of sacks of cement, ceramics, and zinc sheets to aid in the church’s construction (TPLBantuHKBP12, 2019). HKBP Pondok Buluh Resort Tiga Dolok was also granted building paint (TPLBantuHKBP13, 2021). This data only accounts for the HKBP Church, without considering numerous other churches that have received assistance from TPL, making it impractical to document each case individually.

While TPL has provided support to religious institutions over multiple years, a particularly noticeable trend emerged in 2021. Why did TPL increase its donations that year? A closer examination reveals that 2021 witnessed numerous demonstrations and protests by Indigenous Communities against TPL.

Table 1: Demonstrations against TPL

No	Demonstrator	News Summary
1	Indigenous People in Medan (TPLDemo1, 2021)	Demonstrators demanded TPL due to its operational actions that caused environmental damage around Lake Toba.
2	Community group Aliansi Tutup TPL Toba Regency (TPLDemo2, 2021)	They held a demonstration in front of the Toba Regent’s office to voice the damage caused by TPL but the government did not welcome it because it was considered to trigger the spread of Covid-19.
3	Movement of the Aliansi Tutup TPL conducts a demonstration in front of the TPL office (TPLDemo3, 2021)	The demonstrators found that 22,000 hectares of forest in the Tele landscape had been destroyed due to TPL’s poor operational systems.
4	Natumingka community demonstration (TPLDemo4, 2021)	The community demanded accountability for the destruction of nature and dispossession of customary land in Natumingka. During this demonstration there were physical clashes that injured several people.

5	Movement to Close TPL demonstrates in front of Luhut's office (TPLDemo5, 2021)	The demonstrators argued that for 30 years, TPL has had no positive impact on them other than worsening environmental and air conditions.
6	Students and youth of Siantar (TPLDemo6, 2021)	The purpose of this demonstration was to protest the violent actions of TPL employees against the Natumingka community.
7	There are 50 residents who are victims of TPL criminalization violence (TPLDemo8, 2021)	This clash was triggered by the planting of eucalyptus by TPL on the customary land of the Natumingka community.
8	Demonstration of the Close TPL Movement at the Humbahas Regent's office and DPRD (TPLDemo9, 2021)	The demonstration was triggered by the destruction of 167,912 hectares of environment in Tano Batak.
9	Walked 1700 kilometers (TPLDemo10, 2021)	This journey was carried out by 11 North Sumatra residents from Toba Samosir to the Istana Negara as far as 1700 km for 44 days with the aim that the President closes TPL because it has damaged the environment, especially around Lake Toba.

The demonstrations of 2021 were among the largest since 1986. However, religious institutions such as the Church did not participate in these protests, as they had already been silenced through various forms of assistance and incentives for church construction. This aligns with Dahrendorf's (1959) argument that the elite class exploits its position to disseminate ideology, in this case, leveraging the Church as a shield while securing support from religious institutions to legitimise its environmentally destructive and oppressive practices against Indigenous Peoples (Dahrendorf, 1959, pp. 245–246).

Although scholars such as Binns (1997) have critiqued this theory, arguing that the lower class is not entirely passive and can resist elite domination through various means, in reality, the Church did not resist TPL or express solidarity with indigenous groups throughout 2021. This stands in stark contrast to the Church's earlier defiance against TPL's predecessor, Indorayon, as documented by Victor Silaen (Silaen, 2005).

Dahrendorf's theory is further supported by Potz (2013), who provides an empirical example of how religious doctrine is utilised to uphold the stability of political systems, ultimately benefiting the ruling class (Potz, 2013). Such an ideology is particularly dangerous, as it fosters division within society. This strategy has been employed by TPL to consolidate its position by creating a rift between the community and religious institutions, particularly the Church. The underlying ideology, although not explicitly stated, is straightforward:

the Church, as a respected religious institution, holds the trust of many people. If the Church accepts assistance from TPL, it signals that TPL is equally trustworthy, mirroring the trust placed in the Church by the wider community.

Manipulation and Propaganda

The ruling elite employs propaganda to shape public opinion and conceal its exploitative practices. Mass media, advertising, and political campaigns are instrumental in disseminating misinformation (Dahrendorf, 1959, p. 87). Propaganda serves as a powerful tool for the elite to project a favourable public image while obscuring their underlying exploitation. This is particularly concerning, as unfiltered acceptance of such portrayals can mislead the general public. TPL is no exception to this form of propaganda, frequently leveraging its Corporate Social Responsibility (CSR) initiatives to mask its exploitative activities.

While TPL is ostensibly responsible for environmental management, over time, its focus has increasingly shifted towards socio-economic activities, sidelining its environmental obligations. The following cases illustrate how the company has consistently neglected its environmental stewardship role.

In November 2023, four villages—Marbun Tonga Dolok, Marbun Toruan, Siungungunong Julu, and Simamora—were devastated by flash floods. These villages, located in the Baktiraja sub-district of Bakkara, had never before experienced flooding of such severity despite decades of habitation. The disaster resulted in significant damage, destroying tens of hectares of agricultural land, numerous houses, and several churches, including the Bethel Indonesia Church and the HKBP Church. Investigations by *Kelompok Studi dan Pengembangan Prakarsa Masyarakat* (KSPPM) identified deforestation in TPL's operational sector as the primary cause (KSPPM, 2023a). This incident further substantiates that Indigenous Communities possess far greater expertise in environmental management than TPL. Historically, the area had never suffered such extensive flooding until TPL assumed control of environmental management, triggering ecological catastrophes.

TPL responded to KSPPM's allegations by issuing a press statement, referencing the 2020 Timber Forest Product Utilisation Business Licence for Industrial Plantation Forests. Jandres Silalahi, Director of PT Toba Pulp Lestari Tbk, refuted claims that the flash floods in Kenegerian Sihotang, Samosir, were linked to the company's Tele Sector operations. Instead, he attributed the disaster to extreme weather conditions, inadequate forest cover, steep slopes, and sediment accumulation in riverbeds. According to TPL's internal analysis, the flood resulted from a temporary natural dam that overflowed into a downstream channel (Amel, 2023; TPLKajian, n.d.).

To determine the factual accuracy of these claims, it is essential to first assess TPL's operational reach. According to its official website, the company operates five sectors in North Sumatra: Aek Raja, Aek Nauli, Habinsaran, South Tapanuli, and Tele (TPLSektor, n.d.). A critical revelation surfaced, exposing large-scale deforestation of approximately 916 hectares in the Tele Sector (Wicaksono, 2024; Zahra, 2024). Notably, the four flood-affect-

ed villages fall within TPL's Tele Sector concession area (TPLSektor, n.d.). This evidence contradicts TPL's assertions that extreme weather was solely responsible for the disaster. Instead, field observations confirm that TPL's extensive deforestation directly contributed to the flooding in Baktiraja Bakkara's four villages.

TPL's use of propaganda extends beyond deforestation denial; it is also evident in its CSR programmes. Merely weeks after the initial flood, on 1 December 2023, an even more devastating flash flood struck Simangulampe Village in Baktiraja District, Humbang Hasundutan Regency. This disaster swept away boulders from the hills, destroying 21 houses, killing two residents, and leaving ten others missing, their whereabouts still unknown. KSPPM's investigation uncovered multiple indicators linking TPL's operations to this environmental catastrophe, including road clearance, forest conversion, and deforestation, which collectively eroded water-retaining vegetation (KSPPM, 2023b).

This time, however, TPL did not attempt to refute the allegations, unlike in the previous case. Their silence implicitly acknowledged their role in the disaster. Yet, rather than issuing an apology, taking accountability, or implementing measures to restore environmental balance, TPL opted to distribute humanitarian aid to Simangulampe residents, including food, beverages, and clothing (TPLBantuan, 2023). More disturbingly, the government took no action against TPL, refraining from imposing sanctions despite the company's tacit admission of large-scale deforestation in Simangulampe.

Casual observers unfamiliar with TPL's history or the true causes of these disasters might interpret the company's relief efforts as acts of generosity and corporate benevolence. This perception is a direct consequence of TPL's relentless propaganda, which prioritises public image enhancement over genuine environmental responsibility. Dahrendorf's theory is once again validated, demonstrating how the ruling elite wields propaganda to manipulate public opinion and obscure its exploitative practices (Dahrendorf, 1959, p. 87).

Exploring TPL's CSR Track Record

Examining the core issues surrounding TPL's Corporate Social Responsibility (CSR), it becomes evident that this remains one of the most contentious and frustrating discussions. Many individuals continue to focus on TPL's CSR initiatives, believing they have significantly contributed to regional economic growth and community welfare. However, this perception is a misconception, widely accepted as fact despite lacking substantial evidence. The following section summarises TPL's CSR trajectory and its impact on the surrounding communities.

When TPL was still operating under the name PT Indorayon Inti Utama (IIU), the local community strongly opposed the establishment of its factory, particularly in Sosor Ladang Village, Porsea. However, over time, these conflicts were resolved through agreements and collaborations with the community, allowing the factory to commence operations. Following sustained resistance and controversy over ecological destruction and land dispossession, the company rebranded as TPL, shifting its primary focus to pulp production, which reduced its reliance on timber. Additionally, TPL initiated efforts to establish

amicable relations with local communities (TPLAkta1, 2016).

This approach was formalised through the enactment of Akta 54, a regulation stipulating that the company would allocate 1% of its net profit to community development. These funds were to be distributed proportionally to districts surrounding the company, with the management of these funds entrusted to a foundation established by the Toba District Government (TPLAkta2, 2019).

On 19 April 2017, amendments were made to the Akta, incorporating social and environmental responsibilities. Consequently, Akta 54 was revised and incorporated into Akta 05, maintaining its functional purpose—allocating 1% of total net pulp sales to support development programmes and the economic, social, and cultural advancement of communities surrounding the mill and within TPL's concession areas (TPLAkta3, 2017).

However, does TPL genuinely allocate 1% of its revenue to enhance community welfare and economic conditions? Dahrendorf (1959) asserts that the ruling class frequently manipulates data to control public perception (Dahrendorf, 1959, p. 87). The following table presents an analysis based on official data released by TPL from 2017 to 2022, shedding light on the reality of TPL's CSR commitments.

Table 2: TPL's Corporate Social Responsibility

Description	2017	2018	2019	2020	2021	2022
Net Sales	USD 123.865.000 (TPLAnnual1, 2018)	USD 121.223.000 (TPLAnnual2, 2019)	USD 104.058.000 (TPLAnnual3, 2020)	USD 126.023.000 (TPLAnnual4, 2021)	USD 146.859.000 (TPLAnnual5, 2022)	USD 175.277.000 (TPLAnnual5, 2022)
Funds spent on community development	USD 1.208.000 (TPLKeuangan1, 2017)	USD 1.190.000 (TPLKeuangan2, 2019)	USD 1.018.000 (TPLKeuangan3, 2020)	USD 1.210.000 (TPLKeuangan4, 2021)	USD 1.428.000 (TPLKeuangan5, 2022)	USD 1.703.000 (TPLKeuangan5, 2022)
Funds that should be spent (1% of net sales)	USD 1.238.650	USD 1.212.230	USD 1.040.580	USD 1.260.230	USD 1.468.590	USD 1.752.770
Difference in Deficiency	USD 30.650	USD 22.230	USD 22.580	USD 50.230	USD 40.590	USD 49.770
Total Difference	USD 216,050 or if converted to rupiah at an exchange rate of IDR 15,000/USD, the total debt not submitted by TPL is around IDR 3,240,750,000.					

The findings indicate that TPL did not allocate the promised 1% of funds for community development, directly contradicting its commitment under Akta 05. Moreover, even if the 1% allocation had been fulfilled, the amount remains negligible compared to the 99% of sales revenue derived from the daily exploitation of natural resources. More concerning is the fact that many people remain unaware of this discrepancy. As a result, local communities—particularly those represented by religious institutions such as the Church—remain passive in asserting their rights against TPL. Notably, protests against the company were predominantly led by groups from outside the Porsea area, where the TPL plant operates.

Unfair Allocation of CSR Funds

The ruling class propagates ideologies and values that sustain the status quo and legitimise social inequality (Dahrendorf, 1959, p. 126). A more alarming reality is that CSR funds are not equitably distributed across all areas within TPL's concession zone.

Several reports highlight discrepancies in the allocation of TPL's CSR funds. In North Tapanuli Regency, the Head of Regional Economic Affairs, Fajar Gultom, stated that from 2016 to 2018, the region did not receive any CSR funds from TPL. This was despite TPL publicly claiming that it had disbursed the funds—an assertion that was never substantiated (TPLCsr1, 2021; TPLCsr2, 2021). A similar case occurred in Sosor Ladang, Toba Regency, where the local community expressed disappointment over their inability to access the CSR funds promised by TPL (TPLCsr3, 2016). By 2019, community members were still questioning TPL's commitment and credibility in disbursing CSR funds, which they had yet to receive (TPLCsr4, 2019).

This situation contrasts sharply with other areas, where TPL provided preferential treatment. Reports indicate that, through its CSR programme, TPL heavily invested in the Simalungun region, allocating billions of rupiah to support education, clean water access, and infrastructure improvements (TPLCsr5, 2017). Additionally, Jonggi Manulus Village in Toba Samosir Regency received special attention, with TPL frequently engaging in community-based initiatives (TPLCsr6, 2019). Similarly, the Ajibata area in Samosir Regency was prioritised, benefiting from the provision of hundreds of waste bins through TPL's CSR programme (TPLCsr7, 2017). The most striking example occurred when TPL sponsored 14 groups of farmers to participate in a comparative study on agricultural productivity enhancement in West Java. Participants were selected from Tampahan, Balige, Laguboti, Silaen, and Sigumpar (TPLCsr8, 2021).

TPL's CSR distribution has been highly selective, often neglecting districts such as North Tapanuli and Toba, while favouring Samosir and Simalungun. This disparity is evidently linked to political intervention. However, rather than delving into the political intricacies of this issue, a more pertinent discussion revolves around Dahrendorf's theory, which effectively illustrates how the ruling elite—TPL—exerts control over lower-class communities, often in an unjust and exploitative manner (Dahrendorf, 1959, p. 126).

Conclusion

TPL will continue to exist as a dominant entity because it has monopolised power by aligning itself with the state to establish various rules and regulations concerning land ownership. The company does not hesitate to employ violence and repression, as evidenced by the number of individuals imprisoned to silence dissent. TPL has also adeptly legitimised its ideology, making it acceptable to certain sectors of society—particularly the Church and local communities, which have been used as shields to reinforce its legitimacy. Moreover, the company persistently engages in propaganda and data manipulation to enhance its public image and maintain its operations.

A responsible company prioritises the fulfilment of its duties and obligations. Organisations engaged in human resource management should focus on improving community welfare, while those involved in environmental management should prioritise environmental sustainability. Ethical and morally grounded ecological management leads to greater prosperity for local communities. However, the seizure of customary land lacks any ethical justification, as it violates human rights and undermines social justice. Customary land is not merely a place of residence; it constitutes an integral part of Indigenous Peoples' cultural, spiritual, and economic identity.

The expropriation of indigenous land is tantamount to depriving them of their right to live and flourish within their own culture. It represents a forced and unsustainable exploitation of nature, inevitably leading to ecological disasters. Tragically, these consequences disproportionately affect marginalised communities. Indigenous Peoples, in addition to facing violence, threats, and criminalisation, are also victims of environmental degradation caused by the insatiable greed of the ruling elite.

If I may offer a recommendation, I would emphasise one fundamental point: the transition from Indorayon Inti Utama to Toba Pulp Lestari was the result of an extraordinary people's movement. This demonstrates that the eventual closure or relocation of TPL from North Sumatra remains a possibility. The key to achieving this is sustained resistance and unwavering solidarity. The people must not be divided by tactics reminiscent of the Dutch colonial divide et impera strategy. Long live the struggle! *Panjang umur perjuangan!*

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I am also grateful to the writing competition organised by Indigenous Southeast Asian

and Ethnic Studies for providing me with the opportunity to present this paper. This is not merely my struggle—it is our collective struggle. The violence and oppression must be resisted together to ensure that our actions carry meaning and impact.

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Declaration of Interest Statement

I, Musdodi Frans Jaswin Manalu, hereby declare that I have no conflicts of interest to disclose in relation to the content of this manuscript.

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