Article

Promote Social Order to Achieve Social and Ecological Justice for Communities to Prevent Illegal Artisanal Small-Scale Gold Mining

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Abstract: The Indonesian National Police (POLRI) has succeeded in suppressing illegal artisanal small-scale gold mining (ASGM) that has been taking place in Mount Botak, Buru Regency, Maluku Province, Indonesia. However, POLRI has only succeeded in creating a temporary absence of illegal ASGM. This study aims to analyse an additional role POLRI could play in achieving social and ecological justice by promoting a positive and functioning social order. We used a case study method to collect data from documentation and literature studies on illegal ASGM cases in Mount Botak. The findings of this study reveal that pressure by POLRI against national and local governments may have a positive impact on the absence of illegal ASGM. This study recommends that POLRI should, in addition to the performance of its formal role in enforcing the law against illegal ASGM and maintaining security and order, play a role as a pressure group acting on national and local governments to promote social order and to achieve social and ecological justice for communities around local mining areas.

Keywords: illegal ASGM; POLRI; pressure role; social order; social justice; ecological justice

1. Introduction

Indonesia’s geological characteristics entail enormous mineral wealth [1], including gold. Moreover, minerals play a significant role as raw materials in strategic industries, such as defence and transportation [1]. The state mandates the government to exercise absolute control of its management (Art. 33 para. 3, State Constitution). Gold, a vital, high-value, and non-renewable mineral resource, must be mined following practices that adhere to the principles of sustainable development. These principles are also called triple bottom lines, and they generally focus on fulfilling economic, environmental, and social interests in a balanced manner [2,3]. In terms of mining practices there is an emphasis on the balance of these three aspects and resource safety and efficiency [4].

The demand for sustainable gold mining practices is growing, especially in countries where governance has not yet been consolidated, owing to environmental damage and social injustice within communities near mining areas [5]. From a social and political perspective, sustainable mining practices are becoming more substantial and are tied to demands for more inclusive development and respect for human rights. Illegal ASGM continues to occur, particularly in areas beyond government supervision, where welfare is still low, and improper mining practices are passed down between generations [5,6]. One improper mining practice is the blasting process caused by a lack of knowledge and problems with technical aspects [7]. Improper mining practices entail some fatal risks such as accidents [8].
Illegal ASGM has been taking place at Mount Botak and its surrounding areas in Buru Regency, Maluku Province. This activity is full of conflicts—both horizontal and vertical—and, indeed, money [6,9,10]. The incidences of AGSM began to rapidly accelerate in 2012. Local authorities took several preventive actions and other measures. The amount of illegal ASGM has been growing. In response, the authorities and other relevant parties decided to curb the situation in September 2018.

Since the beginning of 2019, the Indonesian National Police (POLRI) has been working to prevent and curb illegal mining. This work has shown great success, as indicated by the absence of illegal ASGM in the areas of focus [6,11]. However, this state of affairs is potentially unsustainable, implying that it should be considered a kind of truce or a period of negative peace [12]. POLRI’s role in preventing and curbing gold and mineral mining can also be seen with regards to illegal ASGM affecting, for example, North Sulawesi, Gorontalo, Riau, Central and West Java, and West Kalimantan.

Repressive efforts include arresting and investigating illegal miners (Gurandil) to enforce the law. POLRI has faced several obstacles associated with the legal framework, with back-up or support of law enforcement agencies, with the government apparatus, with customary figures and infrastructure, and with the factors of the culture of law of local communities and issues of synergy between law enforcement and government [11–15]. Moreover, the same approaches have been employed in Riau, West Sumatera, and West Kalimantan province’s mining sites. In handling illegal ASGM occurring in Kuantan Singingi Regency, Riau Province, POLRI and other government bodies have agreed to employ pre-emptive efforts, including the empowerment and commitment of the two agencies, supported by programs of socialization and education delivered to nearby community members regarding laws and regulations related to mining and environmental issues and to issues of synergy between law enforcement and government [13–15].

Furthermore, similar approaches have been employed in Riau, West Sumatera and West Kalimantan mining areas. In handling illegal ASGM in Kuantan Singingi Regency, Riau Province, pre-emptive efforts have been made that include strengthening the commitment between POLRI and the government to suppress illegal ASGM in these areas. Such efforts are backed up by programs of socialization and education on the adverse effects of the illegal ASGM on community members residing in the vicinity of the mining sites. Additionally, repressive efforts are brought to bear on illegal miners as well as police officers who are involved in illegal ASGM [16,17]. The same approach to handling the illegal ASGM, especially the preventive and repressive efforts, has been employed by POLRI in dealing with the same illegal activities occurring in Landak Regency, West Kalimantan Province [14]. This study analyses the pressure role that POLRI may play in creating social order to help maintain the absence of illegal ASGM. Here, POLRI may promote procedural and distributive approaches to achieve social and ecological justice for people living around Mount Botak and its surrounding areas in Buru Regency, Maluku Province.

The originality of this paper certainly illustrates that the discourse on the additional role that POLRI could play outside of its primary duties provides an understanding of the importance of discrete innovation in achieving its primary goal of affirming social order in ASGM areas within the allowable limits of existing institutional frameworks. In this perspective, through this additional role for POLRI, it is hoped that we will provide a more comprehensive meaning to ideas around strengthening the role of POLRI in the future. Also, this research contributes to an understanding about how national police can contribute to sustainable mining by solving the illegal ASGM issue, and so improving social and ecological justice as part of law enforcement.

The sustainability of mining practices is a central issue in illegal ASGM and other legal mining practices. Debate on these issues continues in the context of their practice in developing countries that are characterized by weak political will in managing social injustice and environmental damage [18]. Briefly, sustainable mining practices only appear at the level of ethical and moral justification. Kirsch [19] used the interchangeability or substitutability of the terms for weak sustainable mining practices [4,19]. Mining practices, as
generally understood, take for granted that natural and industrial capital are interchangeable. Kirsch assumes that mining practices are sustainable as long as the capital stock remains or grows. Thus, a mining practice that pollutes rivers and causes deforestation would still be considered sustainable if its profits could be converted into venture capital funds with an economic value equal to or greater than the amount spent or the amount needed to be spent on clean-up and associated expenses [19].

Empirically, actors in mining practices claim that the weak implementation of sustainability is indicated by several social and environmental effects that are unavoidable in this practice. Accordingly, this view is strengthened because the resources are not renewable [20]. This view is supported by Crowson [20], who posed a challenge to the proponents of sustainable mining, namely, “for all practical purposes, is the Earth running out of recoverable minerals?” This condition is the question that those attempting to apply sustainable development theory to mineral supply seek to address. In addition, Crowson emphasizes that if mining is only observed from the perspective of mineral depletion, then there can be no sustainable mining practice [20]. Crowson’s view reinforces Kirsch’s view, who found that the definition of sustainable mining practices tends to omit the essential references to environmental effects and instead addresses the economic development and company profits that exceed the operational life of the mine [19]. Crowson’s line of thought has been reinforced by Tilton, [20] who states that numerous non-renewable commodities, especially metal minerals, are not ruined when consumed. He further argues that mining reserves have been depleted because they are the cheapest and easiest to obtain; however, it is often overlooked that there is an unlimited supply of many minerals underneath the surface of the Earth [20]. Allan even asserts that mining practices can be sustainable if mineral utilization does not exceed capacity until new sources, recycling processes, or replacement minerals are found [4]. Furthermore, Laurence indicates that conventional mining practices can become sustainable if leading practices are implemented in widely accepted dimensions of the environment, the economy and community, safety, and resource efficiency [4].

Conversely, opposing views centre on how difficult it is to ensure sustainable mining practices regarding environmental impact and operational characteristics. Sustainable mining practices must be interpreted strictly in terms of solid sustainability or non-interchangeability [4,19]. The idea of strong sustainability emphasizes the acknowledgement of an exclusive relationship between environmental and economic aspects. Treating neither of the two aspects as exchangeable with the other [19,21]. Weak sustainability is thus considered a categorical error. Daly (1996) has highlighted how mining practices, as a factor in the developmental process, are by their very nature unsustainable. Daly places this criticism in the context of the beginning of the tragedy of the commons [22]. Laurence showed that approximately 1000 mines that operated from 1981 to 2009 were closed, and 75% of these closures were due to unsustainable operations [4]. Empirically, this argument regarding social and economic impacts in the field is also supported. A study by Padel and Das in eastern India identified a paradoxical economic situation. It developed an ironic picture of the process of cultural genocide occurring among hundreds of indigenous groups. They conclude that there is an increasing process of cultural genocide [5]. This condition seems to be consistent with Emel et al. They reported that the industry’s interpretation of the concept of sustainable mining focused more on mining practices that appeared to be green and managing the relationships among industry, environment, and society [20].

The efforts to institutionalize the social order for communities living adjoining the mining area demonstrate the importance of maintaining sustainable mining practices [23]. The institutionalization of these social orders requires procedural and distributive justice [24–26]. Here, controlling and preventing illegal ASGM implies the limitations of structurally non-repressive approaches. In this context, the absence of illegal ASGM must be positively interpreted as a safe condition. The conception of the absence of illegal ASGM is positively analogous to the creation of favourable conditions of peace [12].
The condition of the absence of illegal ASGM is a solid foundation to strengthen the institutionalizing efforts of vital social order, as this mechanism does not create a space for either vertical or horizontal conflicts or the potential for structural violence [12]. The fundamental issue is social injustice. Communities residing in the mining areas can be at peace if they can ensure their fundamental right to a good life [12]. Thus, the role of POLRI in establishing and maintaining security and public order, enforcing the law, and providing protection and services is relevant to the promotion a favourable situation to encourage and strengthen the institutionalization of social order. The expansion of POLRI’s role as an additional pressure body against the central government and local government, in particular, promotes inclusive and equitable socio-economic development programs in the mining areas by encouraging the institutionalization of social order through the absence of the positive practices of illegal ASGM. The institutionalization of social order is expected to become an essential social capital input that encourages social participation, trust, and institutions to reject illegal ASGM. In the context of opening up community mining in nearby areas, communities can thus be encouraged to implement sustainable community mining practices [26–28]. The institutionalization of social order and social capital can conduce to achieving social and ecological justice for communities in the region to strengthen the understanding of sustainable mining practices further.

2. Materials and Methods

The study employed a phenomenological approach and case study materials to present a detailed picture of illegal ASGM in Mount Botak and its surrounding areas as social and economic problems. In addition, this study depicted the phenomenon and identified the meaning behind such a phenomenon [29,30]. This approach is more suitable for a case study format involving the perpetrators of this practice, namely, people in frontier areas whose welfare levels are still low [31].

2.1. Data Collection

Data collection in this study drew on existing documentation and literature studies. Triangulation from primary and secondary sources ensures that the study accurately describes the relationship between the variables [26]. The primary sources comprised virtual interviews with several academics, local leaders, and territorial POLRI commanders who have had concerns regarding the issue. The secondary sources comprise journals, official documents, and reports from related think tanks.

2.2. Data Analysis

The research began with data collection regarding the phenomenon of illegal ASGM and its social, economic, and environmental impacts, as well as the role that POLRI plays in preventing and curbing illegal ASGM in Mount Botak and its surrounding areas. The most recent secondary data from events on Mount Botak and nearby, from 2020, were analysed to examine whether there was any chance of recurrence or achievement of security using a repressive structural approach. The findings of the analysis indicate the extent to which POLRI’s existing role in preventing and curbing illegal ASGM, as well as in promoting the social welfare of the local community as social order, could be strengthened. POLRI could become a state institution that influences or acts as a pressure group on the central and local governments to promote institutionalized social order and increase social welfare by strengthening its role. By promoting social order, POLRI can ensure the termination of illegal ASGM, achieving a favourable, peaceful situation [12]. Furthermore, the social and economic data on people living in Mount Botak and its surrounding areas were presented and analysed. The secondary data were used to contextualize the importance of introducing a new role for POLRI as a state institution that also had an influential role as a state law enforcer.
3. Results and Discussion

3.1. Impacts of Illegal ASGM

Illegal ASGM in Mount Botak, Waelata District, Buru Regency, Maluku Province, Indonesia, became extensive in 2012. This illegal mining is against Indonesian law [6,10,32,33] but was identified through conflict and money flows. Data obtained from Maluku Regional Police revealed that approximately 8000 people worked in illegal ASGM, using the immersion technique, barrels, and drums [11]. In its development, until early 2021, the number of miners increased. As reported in Table 1, the data indicate that this province was among the regions with the most illegal ASGM until 2018 [34]. Data in Table 2 show that the number of illegal ASGM incidents occurring in Mount Botak and its surroundings has increased along with the rampant law enforcement efforts, from six cases in 2018 to sixteen cases in 2019. In 2020, however, the number of illegal ASGM drastically decreased to four cases due to the effect of law enforcement efforts done by POLRI. It is thought that the perpetrators were worried about the handling activities. The side effect of such handling and law enforcement efforts was a significant decrease in other criminal cases, such as killings and violence. In 2021, the situation was reversed. The number of illegal ASGM increased to seven cases because, in the middle of 2021, law enforcement activities decreased, in the context of the frequency along with the decrease of the mobilization of police personnel. This situation indicates that POLRI has created an orderly condition with a traditional repressive approach. However, the order still has a negative meaning because of the mobilization of personnel for patrolling. Thus, in the context of the ASGM actors’ belief that illegal mining is an adequate economic safety valve and the presence of investors in ASGM, there become incentives for perpetrators to look for loopholes to mine in the area. The case of ASGM practice at night demonstrates these data.

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Source: Buru Island Resort Police [35].

The loose concept of social order is obtained in the context of the importance of local community partnerships with energy infrastructure projects, i.e., the development of geothermal power plants, to assist efforts to conserve forests and prevent encroachment [23]. This goal can be achieved by allocating the results of using resources for community development and protecting resources. In wildlife management, social order may be somewhat related. Although the concept of wildlife fencing is defined as a physical barrier, this concept does not merely position it as a physical barrier but is also symbolic [36]. This concept fundamentally differs from the concept of social order. In the context of encouraging the strengthening of social capital as the basis for collective action of local communities for sustainable use of natural resources, this fencing concept as a wildlife management tool has weaknesses in terms of setting aside the mission of welfare and rights attached to any resource development in the local community area and the potential for illegal extraction of resources. Tables 1 and 2 show that POLRI seriously enforce laws. It is a fact that in the beginning of enforcement, the frequency of ASGM is always high. However,
it is decreasing with the actions of consistent enforcement. This strengthens the firm belief that POLRI enforces the laws consistently and without corruption.

Meanwhile, in the context of social order, this research refer to participatory efforts driven by public awareness and trust not to resort to unsustainable resource extraction methods. The loose concept of social order may be seen as an instrument to create a ‘positive peace’ in peace studies [12]. Though it is an elusive word, there are certain agreed principles, such as minimization of both open and structural violence, a condition typically built into many socio-cultural institutions. Barash coined a critical feature of structural violence as the following: “... structural violence denies people important rights such as economic opportunity, social ... and access to a healthy natural environment. When people starve to death or even go hungry, a kind of violence takes place. Similarly, when human beings ... denied a decent education, housing, to grow, to work, to raise a family, ... a kind of violence occurs, even if bullets or clubs are not being used” [12].

It should be noted that several functional indicators must be implemented and generally applied to promote social or community acceptance in every public development project to encourage the functioning of social order. These indicators, for example, include the effectiveness of FPIC/public consultation institutions, outreach programs to increase community awareness and acceptance, the institutionalization of multi-stakeholder monitoring teams, environmental guarantee funds, social and economic programs, protection of prior and ancestral rights, and the protection of forest patrimony [23,25,37]. Of course, it must be admitted that, as a concept and indicator grafted from the perspective of developing energy sources, i.e., geothermal power development, social order has not received adequate academic support as a concept/tool to promote economic and ecological justice for local communities for the prevention of ASGM in the case in Mount Botak.

The principle of the sustainable development of mining practices plays a crucial role in achieving the targets and objectives of national development and, ultimately, increasing the welfare of the people living in nearby areas. Existing illegal ASGM in Mount Botak suggests that enabling sustainable mining practices still entails significant challenges. This activity supports the view that illegal ASGM in Indonesia is an important matter [38]. The local mining regime is a legal activity based on the national legal framework. It is considered an alternative effort to improve the regional economic growth and the level of welfare in local communities. In practice, however, these mining activities have increased negative impacts on the environment and social life and have also decreased the environment’s carrying capacity. In an eastern Indonesian province, one local mining practice with a socio-economic dimension is illegal ASGM in the Mount Botak area and Buru Regency, Maluku Province. The return of thousands of actors of illegal ASGM to the region began in 2012. Enforcement and prevention campaigns have been attempted; however, these efforts have been ineffective, resulting in the re-emergence of illegal ASGM activities when enforcement efforts were halted. As this developed, until the beginning of 2018, the number of miners increased. The Maluku Regional Police data show that as many as 8000 illegal ASGM actors were working using soaking, barrel, and trommel techniques [11].

The empirical evidence of POLRI’s success in reducing illegal ASGM in Maluku province using a structural approach that includes pre-emptive, preventive, and repressive measures shows that POLRI, in its regular role, has not been able to ensure the end of illegal ASGM. Alternatively, it provides only negative peace that might eventually lead to precisely the same illegal ASGM. POLRI must exert or initiate appropriate means to create a positive absence of illegal ASGM. Performing a normative role as a law enforcement agent, POLRI’s duty to prevent the recurrence of the illegal ASGM phenomenon in Mount Botak and its surrounding areas is a crucial issue over the long term.

As aforementioned, the strong relationship between the state’s control over natural resources and issues of sustainable mining practices is among the strongest arguments for enforcing the 1945 Constitution’s provisions concerning the use of such natural resources. Several variables reinforce this argument; for instance, the potential of environmental damage and a decrease in benefits for society is one issue that tends to get less political
attention from significant stakeholders [5,13,28,38–48]. Another variable is the country’s development policy, which considers mining a source of national development financing [9]. Thus, questions on welfare and social justice for people living in the producing regions become increasingly relevant. The constitution is an important political document, but the development of political decentralization is also crucial. Social relevance can be seen in the tendency for mining-producing areas to remain poor and in the changing contexts of changing socio-cultural values. Finally, ecological relevance relates to the tendency to create environmental damage. Thus, the conception of justice here refers to social and economic justice and ecological or environmental justice [5,21,49].

In general, equity or welfare measures in mining practices can be segregated into two groups: distributive justice and procedural justice. In simple terms, distributive justice refers to distributing benefits fairly and equitably. The unfulfilled aspects of distributive justice, for example, are reflected in compensation issues. Procedural justice refers to the inclusive nature of every decision in the development process in a region. In other words, procedural justice ultimately strengthens participation among all stakeholders in decision-making and trust [24,25]. To support sustainable mining practices, especially community mining practices, empowering these two types of justice in the community of mining areas is essential [50–54]. Briefly, and similar to other development programs, mining practices require the fair and inclusive integration of social and environmental aspects [2,55,56].

Furthermore, it is recognized that procedural justice is in line with problems related to the lack of continuous socialization involving various interest groups. Meanwhile, the lack of fulfilling procedural justice is conditioned by the limited knowledge of the community and the unsupportive socio-economic conditions of the affected community, as well as a lack of trust in the developer or government. The lack of public knowledge results in an imbalance in the level of trust required so that social support or participation, eventually, is not created. This means that the more knowledge (reliable and understandable), the less trust is needed [57], and vice versa. Society requires additional knowledge when public trust is lacking [29,57]. This condition requires the developer and state to strike this balance. Slovic’s view reinforces the idea that trust applies an asymmetric principle; trust is vulnerable and built gradually but can break quickly [29]. The imperative need to ensure socio-economic and ecological justice in sustainable mining practices must certainly be achieved within the framework of an asymmetrical relationship between the state, market, and society. Thus, for the relationship pattern not to lead to state domination (statism), people’s bargaining position against the state or market will be vital. Trilateral networks can strengthen the three actors’ collective vision (shared vision) to develop sustainable mining practices, restoring the balance of the trilateral relationship [58].

Environmental damage, the potential for horizontal and vertical conflicts, health problems in the mining community, and general environmental security disturbances are consequences of illegal ASGM practices in Mount Botak. Environmental impacts, for instance, can be seen in the high pollution levels along with extensive mercury and cyanide contamination in irrigated agricultural land throughout the environment around Mount Botak and the Anahoni river basin, which flows into Namlea Bay, Buru Regency [59,60]. The economic impact on coastal communities refers to the solid stereotypical view of consumers of fish caught in several coastal villages around the Mount Botak area: consumers are reluctant to buy fish from these areas as they consider that the fish is unhealthy owing to contamination from illegal mining, as confirmed in a study by [61].

Illegal ASGM practices influence the region’s poverty levels, unemployment, and public health for social and economic impacts. The poverty rate in the region reaches 12% of the population in the mining area, as indicated by data obtained from relevant parties. A range of health issues, including tuberculosis, acute respiratory infections, myalgia, gout, dermatitis, neuralgia, hypotension, anaemia, fever of unknown cause, laryngitis, and conjunctivitis, are rampant and require immediate resolution by the Waelata district [62]. Further, along with the increasing number of illegal ASGM during this period, Buru Island
Police identified several other social problems associated with public order and security, such as prostitution and domestic violence (Table 2).

Table 2 shows the decrease of illegal mining cases from 2018 until 2020. The decrease can be explained via an in-depth interview with an environmental activist who explains how exploitation before the effort that starts in 2020 is massive because people undertaking illegal mining benefited from significant economic growth. People that undertake illegal mining do not have empathy to environment impacts because they aim only to improve their economic condition. Several environmental effects resulting from illegal ASGM have also been objects of concern for relevant parties in the context of environmental health, particularly in coastal and upland ecosystems. In one of the coastal ecosystems around Mount Botak, the mercury (Hg) concentration was 82-times higher than the threshold set by the government [61]. In 2012, another study reported that the total mercury in the Wamsait River and Kayeli Bay areas was more than 680 mg/kg. The concentration of mercury sedimentation at the mouth of small river estuaries and streams were >3.00 and >7.66 mg/kg, respectively [62]. The impact of the high level of mercury pollution on humans is shown in numerous studies on the levels of mercury concentrations in human hair. A study of hair drawn from residents of Kayeli Village, located in Mount Botak, showed that mercury concentrations were between 0.10 and 3.25 ppm. This concentration level exceeds the established threshold of 0.05 ppm [61,63]. In addition, the study results indicate the impact of environmental damage owing to illegal ASGM in the area in terms of damage to the marine ecosystem. This case, for example, identified its impact on the seagrass beds ecosystem and marine Amphipolis squamata [61,64].

Efforts to curb illegal ASGM practices have been undertaken several times. However, it consistently reoccurs. In September 2018, POLRI and some relevant groups initiated a more intensified and stricter set of curbing activities to combat illegal ASGM in Mount Botak and its surrounding areas. POLRI employed a structural and repressive approach. In 2019, this approach proved successful. The Maluku Regional Police Region’s firm security approach has finally eradicated illegal ASGM practices [6,11]. Since then, this approach has been considered a role model for handling illegal ASGM practices in other regions. Nevertheless, this situation can be categorized as negatively peaceful [12]. Several security posts in Mount Botak are still being maintained, but illegal ASGM has also begun in several areas. At the end of December 2020, a joint patrol of Buru Police Resort found several indications of illegal ASGM, such as used tents and mining equipment in Line B River, Wansait Village, Waelata District [35]. This indication is supported by the fact that significant work is being carried out at night, based on the findings of several tents and other equipment related to mining in the areas. An empirical case-based testimony of a customary source person proved the findings as indicated in the following comments on a video recording of the work: “... the immersion ponds Illegal ASGM in Mountain Botak have started to get crowded again. Ponds [for the immersion get started actively. We can no longer handle it...” [65]. The findings imply that a more participatory approach, such as social capital [66], is more important in dealing with illegal ASGM. This approach requires the building of social order for the community living around the mining area. In this context, developing the social aspects and the economy of communities living around the mining areas is a prerequisite for building social capital. Moreover, the development eventually facilitates democratic governance and economic prosperity [67].

Indeed, aspects of governance, the capacity of POLRI’s human resources, and the lack of local government support contribute to the problem of the incapacity to prevent illegal ASGM practices over a long-term basis. For example, the testimony of a former high-ranking police officer shows that the control of illegal ASGM also has several problems [62]. First, there are concerns regarding the anarchic mining activities and the limited availability of human resources. Second, collusion between police officers and illegal ASGM financiers is a problem. Third, some of the work being done to control mining from POLRI headquarters only began after mass media coverage. Finally, the lack of support from other related institutions is due to questions of collusion with apparatus and budget.
constraints [68]. Undeniably, a more participatory approach to the control of illegal ASGM, involving social capital to build social order in the community around the mining areas, has begun to become increasingly important [69]. Therefore, the involvement of all parties must be given the same space [70].

The cases in Maluku Province data, as indicated in Tables 1 and 2, reflect the empirical findings that there is a measured output value of the normative or repressive POLRI actions, in which there is a decrease in the number of illegal ASGM cases (Table 1) and security disturbances caused by illegal ASGM (Table 2). After the completion of POLRI’s repressive activities, which ended in 2019, it was seen that illegal ASGM cases experienced a sharp decline from 34 to 14 cases in 2020 (Table 1). At the same time, disturbances related to illegal ASGM also decreased (Table 2). The cause of the decrease of illegal mining activities include the closing of illegal mining areas, the socialization of people by POLRI and the role of POLRI in maintaining the decrease in illegal mining by controlling it after this socialization. Also, there is some community consciousness about the impact of illegal mining.

“From what I see, the effort from POLRI they are doing socialization and the hazard of mining with mercury. The mercury can be destroyed the ecology and it can be dangerous to our future generation, destroying the agriculture and the fisheries.” (Male, Miner of Buru Island)

Another informant, an academic, also said that before 2018 there were many cases of illegal mining activities causing conflict. However, POLRI’s effort to socialize people on illegal mining activities have been effective because the community have their consciousness. It should be noted that instruction and regulation also have roles in solving the illegal mining activities issue.

“Starting from 2011 there are many problems that occur on the Buru Island, it caused by mismanagement and the problem is on ecological, economic and social aspects. The problems causing social conflict that the community is rebellious to law enforcement. However, after the controlling effort the condition was recovering so it makes the condition is orderly. After 2018, there are communal consciousness of local people that they won’t doing illegal mining activities anymore.” (Y, Male, Local public figure on Buru island)

This case tended to increase again in 2021. The end of full POLRI patrols in the area is one of the normative reasons for this phenomenon. In addition, the pandemic variable has also affected the level of strict law enforcement by POLRI. Interestingly, the strong impact of the pandemic is also one of the reasons for the local government to be a little loose on illegal ASGM [68]. The phenomenon of rampant ASGM illegal practices at night shows this [65].

“In my opinion, there are many problems from material dealer and financier have been doing collusion with the commander, there are many disclosure but the evidence is not present. These problems make the community gave up on reporting the illegal mining activities. However, after 2018 the situation is safe because the integrity (from law enforcement). So, integrity is the key of this problem.” (Y, Local public figure on Buru island)

The regent of Buru regency, in an in-depth interview, thinks that law enforcement efforts have been run safely, orderly, smoothly and peacefully. Such conditions can occur due to the fact that such efforts are conducted collectively by local government, POLRI, the Indonesian armed forces and all other relevant institutions. However, the regent of Buru regency said that there are some issues on regulation that need to be fixed so it can complement the law enforcement efforts to make mining activities safe and peaceful. Also, the effort involves people that consist of Adat people to close the mining area so the mining area is safe and secure. The effort from law enforcement also solves the social conflict on that area.
“After the controlling effort that has been dong bye Maluku’s Police, Buru Island’s police, and all adat people at that time. Until that time it feels safe and secure after the controlling effort. People looks that effort is good and effective but, after 2018 the illegal miners have trying various effort to doing the mining activities. However, the controlling effort by police since 2018 until 2020 is excellent and effective that there are no social conflicts occurred.” (U, Public Figure on Buru Island)

Other informants have also stated that the government initiated a new concept to solve the issue of illegal mining activities and improve the sustainability of Mount. Botak.

“People will fight because Mount. Botak can be referred as a sugar. The potency of Mt. Botak also needs to be used. So, at that time there are some representatives from ministry and state-owned enterprise to propose a new concept on mining activities in Mt. Botak” (FH, local journalist)

The local government, Indonesian armed forces and all other relevant institutions should take actions in order to put the ASGM in order. Through the support of POLRI, Buru local government and Maluku province government, as well as the Ministry of Energy and Mineral Resources, it would be possible to realize a legalization for society mining areas, wherein society mining permits (IPR) would be issued. An in-depth interview also demonstrated that POLRI have been engaging and giving advice to stakeholders, consisting of local and provincial governments to speed up the regulation to people so they can undertake mining activities that are environmental friendly.

“At that time it is very effective because police have been giving advice to the stakeholders at that time, whether it is local government or provincial governments to speed up the regulation to people so people can be gathered in one law that can be legalling (the mining activities) with environmental friendly.” (Male, Public Figure of Buru Island)

Other informants have also highlighted the problem that occurred before 2018–2020, by saying that before 2018 there were many causalities caused by conflict, robberies, and work accidents. Also, on environmental problems, illegal mining activity that occurred before 2018–2020 also has a significant negative impact on the environment due to it using mercury. The miner uses mercury in the river and disposables of it in Weapo river which is a source of irrigation in Buru Island.

“After the effort to closing the area, there is some decrease in economic growth, in 2012 until 2017 some people leave their original jobs such as farmer and fisherman because of the improvement on economic condition by illegal mining activities. Because of their laziness to back to their original jobs, they are hoping that the Mount Botak area is opened again. The illegal mining activities has been destroying the ecosystem, they don’t care about the future generation because they are more care to the life that happen in their own eyes, so they don’t care to future generation. I tried to compare the illegal mining activities since 2011, there are many conflicts, many killings, and robberies. From our data, it has been almost thousands of causalities that happen in Mt Botak. Also, there is a work accident. In 2011 until pre-2018 there are more than ten thousand of people. It can be counted if one people using 1 gram of mercury. They use mercury in river, after that they dispose the mercury in Weapo river. It has been known that Weapo river has a role as source of irrigation in Buru Island.” (FH, Journalist)

After the curb efforts undertaken in the period 2018–2020, as revealed in a focused discussion with academician, journalist, Environmental activist, miner/public figure, and Buru’s regent, the Buru local government, through the endorsement and influence of POLRI, has continuously conducted efforts to put society mining located in Mt. Botak and its surroundings in order.

“There are some weaknesses from governments, (government) should be approached to prioritize the regulation. On community’s income, the community...
that wants to do mining activities should be controlled. We know and we can that people want to do mining activities and they want to get a security. In that location there are many conflicts. However, if the regulation is good enough the mining activities will be orderly. Law enforcement has been doing socialization to the community if the mining area was closed the community should turn on the farm. So, the farmer and fisherman can be back to their original job.” (X, Regent of Buru Island)

Currently, society mining areas for Mt. Botak and its surroundings have been confirmed by the Minister of Energy and Mineral Resources. Consequently, the area of Mt. Botak and its surrounding can be made use of legally by the society living nearby and it is highly expected that the ways in which the society plan to exploit the area will be environmentally friendly.

“The narration to legalize the mining activities has been planned since long time ago. They (local government) already have society mining areas (WPR) certificate. However, Buru Regent never use the WPR certificate there are already four constitution that have been cancelled. Governments have been trying to make sure local people can be doing mining activities in their territories so the government proposing WPR in Mount Botak. Also, central government have been agreed. But, only mining license (IUP) to make sure the sustainability according to good money practice.” (Z, Mineral and Coals division of Ministry of Energy and Mineral Resources)

3.2. POLRI’s Roles in Pressurizing to Achieve Social and Ecological Justice

The initiation of POLRI’s pressure role encourages the main stakeholders, who, in this context, are the local government, and ensures that peoples’ social and economic development programs in Mount Botak and the surrounding areas can promote procedural and distributive justice. Police support for the provincial proposal to designate Mount Botak as a people’s mining area could be a good case [67]. Furthermore, another objective of this initiative is to speed up the development of the social and economic welfare of the community. Therefore, a more participatory approach to curb illegal ASGM that uses social capital to build social order in the community around the mining area is becoming increasingly crucial. In this context, developing the communities’ social and economic aspects is essential for building this social capital. Data gathered by the author of this study demonstrate two important facts regarding the number of poor people in four mainland villages and four coastal villages [34]. First, the mobilization of illegal ASGM through a large number of people such that it puts a large amount of money in circulation does not provide the local community with social and economic benefits. Second, there is no change in perspective among local people who no longer consider farming or fishing promising jobs. This change has been socially constructed and has positioned society in a way that damages its socio-cultural roots, thereby placing people into jobs that are not economically decent and creating an ecologically unsustainable life.

Initiation of the pressure role that POLRI can play is visible in institutional or policy areas such as (1) active involvement in institutional development planning meetings (Musrenbangda); (2) active involvement in the implementation of targeted community socio-economic development programs; and (3) encouragement of a more intensive work culture, as well as clean and responsible governance within POLRI to improve public trust. The first pressure role that POLRI can perform relates to its commitment to being actively involved in the planning of development programs at the local level. Program planning is a synergistic institutional collaboration with the local government and other key stakeholders at a local level. This collaboration encourages development programs and community empowerment based on set targets. Such institutions, for example, can actively cooperate with POLRI in synergy with all key stakeholders at the local level to design proposals for community empowerment programs in official meetings. This condition means that POLRI’s presence in these meetings is limited to fulfilling the invitations and,
more importantly, bringing forward concrete proposals with solid arguments to support them. Therefore, strengthening the support for the expertise of POLRI’s human resources for work units at the local level must be improved [71]. To a certain extent, POLRI’s role at the local level is to collaborate with academics and public figures/non-governmental organizations and discuss proposals for community empowerment programs.

The second aspect relates to the substantial role that POLRI can play in controlling and supervising the implementation of policy programs of community empowerment at the local level. This role is directed to ensure a substantial commitment of POLRI to help optimize the control and supervision of the implementation of development policies in these regions. Another essential thing, strengthening its role as the suppressor, is related to the mainstreaming of distributive justice for local communities to form the foundation for strengthening social order to prevent illegal ASGM based on POLRI’s official role.

Achieving its performance in this suppressive role entails essential prerequisites, namely, aspects of good and clean governance within POLRI itself. Here, POLRI’s leadership at the regional level must ensure that there is no rent-seeking among the organizers in the field. This role ensures POLRI’s strong commitment to strengthening social trust in the two influences mentioned above roles.

This role is crucial, as maintaining POLRI’s social trust becomes a roller coaster ride wherein it takes a long time to build trust (in the analogy, this represents the roller coaster going up), but it takes no time to break [57]. As aforementioned, the control of illegal ASGM is also facing several problems. The first problem concerns the anarchic actions of the miners and the limited availability of human resources. The second problem relates to the issue of collusion between police officers and illegal ASGM financiers. The third problem concerns some control efforts that come into play following orders given by POLRI headquarters after mass media coverage. The fourth problem is the lack of support from other institutions, owing to the issue of collusion with the apparatus and budget constraints at the institutions [69]. POLRI’s suppressive role is considered standard operating procedure in fostering stakeholder synergy. However, this role is directed more at optimizing its official roles and with a more legal enforcement approach [72].

4. Conclusions

Promoting social order through the creation of a favourable order in communities living around mining areas has a substantial feasibility value for preventing illegal ASGM. Promoting this is normatively attached to the government. The recognition of the importance of social order corresponds to the understanding of sustainable mining practices and that it requires distributive and procedural justice to create social and economic welfare for the target community.

A repressive structural approach that results in a negatively peaceful order does not uphold the principles of sustainable development, and it is usually not possible over the long term. Further, this requires abundant resources, especially human resources in the form of personnel, to be deployed around the given areas. Once the personnel leave the areas, the illegal ASGM will return. The relevant parties dealing with illegal ASGM in Mount Botak, especially POLRI, should determine other more inclusive and participatory policing approaches. Consequently, maintaining the substantive absence of illegal ASGM is essential for the state.

As the state law enforcement tool, apart from its official tasks, POLRI may promote inclusive and equitable socio-economic development programs in the mining areas by creating social order through the absence of the positive absence of illegal ASGM. POLRI’s involvement in planning development programs at the local level with local governments and other key stakeholders to encourage development programs and community empowerment reflects this reason. Besides, POLRI should also be actively involved in implementing targeted socio-economic development programs in the community. This situation relates to POLRI’s substantial role in overseeing the implementation of community empowerment policy programs at a local level. This role can demonstrate POLRI’s strong commitment to
ensuring the best possible supervision of development policies in the regions. Strengthening POLRI’s role here can help mainstream distributive justice for local communities as the foundation to maintain the social order to prevent illegal ASGM based on its official role. To acquire and retain public trust as it performs its duties and responsibilities, POLRI should actively participate in creating and encouraging ethical and responsible governance. This study recommends that POLRI perform its pressure roles on the central government and local governments to promote social order toward the achievement of social and ecological justice for communities living around local mining areas, in addition to performing its formal role of enforcing the law against illegal ASGM activities and maintaining security and order.

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Institutional Review Board Statement: The study was conducted according to the guidelines of the Declaration of Helsinki, and approved by Health Research Ethics Committee UPNVJ (protocol code 368/VII/2022/KEPK and date of approval on 26 July 2022).

Informed Consent Statement: Informed consent was obtained from all subjects involved in the study.

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