REEVALUATION OF NON-ASSERTIVE ATTITUDE OF GOVERNMENT OFFICIALS AS A CRIMINOLOGIC FACTOR IN STATE LAND ENCROACHMENT AND ENVIRONMENTAL DESTRUCTION IN KUPANG

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ABSTRACT

Objective: The rising societal need for land has led individuals to explore various means to acquire it. In recent years, incidents of encroachment on state land have been observed in several regions of East Nusa Tenggara (NTT). This phenomenon undermines public interests and sets a detrimental precedent for the community. The central issue addressed in this research is whether the non-assertive stance and actions of local government officials contribute as criminogenic factors in state land encroachment and environmental (forest) degradation in Manutapen Village, Alak District, Kupang City. The study aims to shed light on the complex interplay between governance, societal demands, and environmental preservation in the context of land-related offenses.

Method: This research serves as a reevaluation of a study conducted approximately 20 years ago in Manutapen Village, Alak District, Kupang City, East Nusa Tenggara. The study's respondents totaled 78 individuals selected through purposive and snowball sampling techniques. Data collection employed observation and in-depth interviews, with the findings presented in single and cross-tabulated tables. The aim is to revisit and analyze the current state of the issues related to land encroachment and environmental degradation, providing updated insights into the persisting challenges faced by the community.

Result and Discussion: The research findings reveal a correlation between the indecisiveness of village/community government officials and criminal acts of state land encroachment and environmental damage (forest) in Manutapen Village, Alak District, Kupang City. Respondents with higher incomes tend to exhibit a weaker or insufficient level of land tenure, while conversely, respondents with lower incomes demonstrate a tendency towards stronger land tenure. The relationship between these two variables is characterized as negative.

Conclusion: This study sheds light on the intricate dynamics between government officials' attitudes and actions, shedding insight into the complex issues surrounding land encroachment and environmental damage within the community.

Keywords: government officials, criminogenic factors, state land encroachment.

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REVALEVAÇÃO DA ATITUDE NÃO ASSERTIVA DOS FUNCIONÁRIOS DO GOVERNO COMO UM FATOR CRIMINOLÓGICO NA INVASÃO DE TERRAS PELO ESTADO E NA DESTRUIÇÃO AMBIENTAL EM KUPANG

RESUMO

Objetivo: A crescente necessidade social de terra levou os indivíduos a explorar vários meios para adquiri-la. Nos últimos anos, têm sido observados incidentes de invasão em terras estatais em várias regiões de East Nusa Tenggara (NTT). Este fenômeno prejudica os interesses públicos e cria um precedente prejudicial para a comunidade. A questão central abordada nesta pesquisa é se a postura não assertiva e as ações dos funcionários do governo local contribuem como fatores criminogênicos na invasão de terras do estado e degradação ambiental (florestal) na Vila Manutapen, Distrito de Alak, Cidade de Kupang. O estudo visa esclarecer a complexa interação entre governança, demandas sociais e preservação ambiental no contexto de delitos relacionados à terra.

Método: Esta pesquisa serve como uma reavaliação de um estudo realizado há aproximadamente 20 anos em Manutapen Village, Alak District, Kupang City, East Nusa Tenggara. Os participantes do estudo contabilizaram 78 indivíduos selecionados por técnicas de amostragem intensiva e em snowball. A coleta de dados empregou observação e entrevistas aprofundadas, com os achados apresentados em tabelas únicas e cruzadas. O objetivo é revisitar e analisar o estado atual das questões relacionadas com a invasão do solo e degradação ambiental, fornecendo informações atualizadas sobre os desafios persistentes enfrentados pela comunidade.

Resultado e discussão: Os resultados da pesquisa revelam uma correlação entre a indecisão de funcionários de vilarejos/comunidades e atos criminosos de invasão de terras do Estado e danos ambientais (florestas) na Vila Manutapen, Distrito de Alak, Cidade de Kupang. Os respondentes com rendimentos mais elevados tendem a apresentar um nível mais fraco ou insuficiente de posse da terra, enquanto, inversamente, os respondentes com rendimentos mais baixos demonstram uma tendência para uma posse da terra mais forte. A relação entre estas duas variáveis é caracterizada como negativa.

Conclusão: Este estudo lança luz sobre a intrincada dinâmica entre as atitudes e ações dos funcionários do governo, lançando uma visão sobre as questões complexas que envolvem a invasão de terras e os danos ambientais dentro da comunidade.

Palavras-chave: funcionários do governo, fatores criminogênicos, invasão de terras do estado.

1 INTRODUCTION

Leo and Laturette (2004) cite various opinions asserting that land is highly beneficial for humans in every aspect of life and activity. From birth to death, both as individuals and collectively, humans have an essential need for land. It serves as a foundation, a source of primary necessities, and the final resting place after death. It can be said that human life is inherently dependent on land. Many scholars have expressed opinions regarding the value and benefits of land. Donatus Patty (1994) writes that land is crucial for human life, and development, and is closely related to economic, socio-cultural, political, and religious-magical aspects. This drives individuals to strive to
control and possess it consistently. Effendi Perangin highlights one example of the utility of land in the context of obtaining credit from banks or other creditors. Perangin states that land is the preferred collateral for debt repayment by financial institutions providing credit facilities. This is because, generally, the land is easily marketable, difficult to conceal, and can be encumbered with a lien, granting special privileges to the creditor (1990).

Syarifudin Gomang presents another benefit of land as something that determines an individual's social status in society. Gomang writes that individuals who possess "something highly valued" in quantity and quality exceeding the average held by a significant portion of the population usually receive higher recognition and esteem within society. This includes the ownership of land (1998). Furthermore, Leo and Laturette (2004) state that, in terms of land ownership, there are various categories such as state-owned land, private land, customary land (ancestral land), individual land, and so forth. Each party utilizes land according to its specific needs. When considering the number of people who own and have an interest in land, two types of needs can be classified: individual needs and collective needs.

The state becomes the highest 'authority' or 'owner' over various entities (Article 33, paragraph 3, of the 1945 Constitution). Therefore, with this authority, the state can allocate land to individuals or legal entities with a specific right based on their needs and purposes, aiming to ensure that the land can be utilized to achieve the utmost prosperity for the people (Saleh, 1982: 13). The phenomenon at play is that land values are increasing day by day, especially in urban areas or regions experiencing development, as well as areas with ongoing construction projects. On the other hand, the amount or area of land is limited, while the number of people in need of it is unlimited, and is even growing. Whether we like it or not, supervision over lands—whether state-owned or individual—becomes crucial. The implementing authority perceived as most effective and efficient in this supervision is the local government apparatus, namely the lowest-level state apparatus: villages and sub-districts, along with their respective components.

Supervision over state-owned land aims to ensure the security of such lands. In other words, the purpose of supervision is to prevent undesirable events such as damage to and encroachment upon state-owned lands by unauthorized parties. The increasing demand for land among the community may instigate certain individuals to contemplate various means of acquiring land, with some of these methods falling under the category
of unlawful actions. In this study, various means are not exhaustively examined; the focus is specifically on actions classified as crimes, particularly land encroachment on state-owned lands.

The concern that individuals might resort to unlawful means to acquire land has proven to be a reality. In recent years, encroachments on state-owned lands have occurred in several regions, including neighborhoods in Kota Kupang such as Batuplat Village, Bakunase Village, and Manutapen Village. Acquiring land through encroachment on state-owned lands undoubtedly harms public interests. If not thoroughly addressed, this could set a precedent or serve as a negative example. Other individuals or parties without proper rights may "follow suit," attempting encroachments on state-owned lands elsewhere for their own interests. Yet, one of the fundamental principles of national life is to "prioritize public interests over personal or group interests".

Various land issues, sooner or later, will disrupt the development process. This is also asserted by I Gusti B. Arjana (2003). He notes that land not only brings blessings but also disasters. Indeed, social conflicts in NTT are often triggered by land issues. Similarly, the sluggish economic growth in NTT is due to issues related to land ownership status. The intentions of investors to invest in NTT are forced to be abandoned due to the uncertainty of land ownership status. This research is a reevaluation of a study conducted approximately 20 years ago in Manutapen Village, Alak District, Kupang City, East Nusa Tenggara, involving 34 respondents selected through purposive and snowball sampling techniques. The number of respondents for this study (2023) has been increased to 78. The pre-research conducted by the author indicated that the encroachment of state lands occurred because local government officials (RT/RW Heads, Village Chiefs, and their officials) did not express firm attitudes and actions in supervising state assets appropriately. Such attitudes and actions can have adverse effects, as stated by Arjana. Additionally, it will lead to various issues, such as hindering the implementation of planned development, as outlined in advisory plans and city master plans. Another significant problem arising is environmental damage (forests) in the locations of the encroached state lands.

Referring to the previous discussion, the fundamental research question posed is: Does the indecisive stance and actions of the village/local government apparatus constitute a criminogenic factor in the encroachment of state lands and environmental damage (forests) in Manutapen Village, Alak District, Kupang City.
2 METHODOLOGY

This paper utilizes an inductive thinking method, describing phenomena and events—namely cases of encroachment on state lands and environmental damage—based on field observations. Subsequently, it addresses or resolves issues through theoretical studies. The theories (concepts, principles, laws, postulates, and scientific assumptions) of scholars or experts are gathered and used as a guide in discussing the focal problems of this research. The research informants consist of several community figures (local authorities, respected individuals in the community) and individuals involved in land encroachment and environmental degradation at the research site. The informants are selected through purposive sampling and snowball sampling techniques.

3 RESULT AND DISCUSSION

3.1 DATA ON THE IMPLEMENTATION OF MONITORING BY GOVERNMENT AUTHORITIES

3.1.1 Monitoring Frequency

One study on the implementation of oversight by local government authorities (villages, sub-districts) was conducted by Jonathan Dima (2004). The author participated in discussions on various topics related to the thesis material. We also conducted research on the same topic in 2004. From 1999 until the completion of our thesis and research in 2004, the community members had cultivated or taken control of the land in an area traditionally used for scout jamboree activities, namely the teak forest and kabesak forest land in Manutapen Village, Kota Kupang. The community members began to occupy or cultivate the land in that area almost simultaneously, around the end of 1999.

Community members first received information about the land area from their families or close friends. Information about the distribution of land by a civil servant at the Ministry of Forestry spread rapidly through word of mouth, from one person to another. Regarding the 'key figure' in the issue of land distribution, it points to the same person, namely Mr. Ok.Lg. (aged +50 years), and some of his trusted associates. Similarly, the 'key figure' mentioned as the party granting specific rights over the encroached land is the same person, Mr. Ok.Lg. This key informant explained that the encroached land belonged to the traditional land of the Banobe Family located in Manutapen Village, Alak Sub-district, Kota Kupang. According to the informant, there are only two landowners in Manutapen, namely the Tanof Family and the Banobe Family.
The boundaries of the encroached land are as follows:

1) To the North, it borders on the customary land of the Tanof Family, currently occupied by the community (encroachers);
2) To the East, it is adjacent to the dead river of Airnona, Bakunase, and Batuplat.
3) To the West, it borders the dead river, and on the other side of this river are Nunbaun Sabu Village and Alak Village.
4) To the South, it borders on other lands of the Banobe Family, also temporarily controlled by many individuals, and a portion of this land extends into adjacent villages such as Nunbaun Delha Village.

A portion of this land is also allocated for various public purposes. According to Mr. Ok.Lg., out of the total area of more than 60 hectares, which has been occupied by around 1,000 households, the land has been subdivided into plots for various purposes, particularly for public facilities such as church buildings, schools (elementary, junior high, high school, vocational school), health centers, and sports fields (Interview with Mr. OL., February 2004, at his home in Manutapen Village, Alak District, Kupang City).

In terms of the type of rights granted to the respondents, the majority of respondents stated that the granting party would handle the process until the respondents obtained ownership rights to the land. Various experiences indicate that in the grant of land rights of this nature, initially, the granting party provides cultivation rights, not ownership rights.

Aspects such as administrative fees or other denominations of money are sometimes negotiated between the two parties. In practice, even if not explicitly agreed upon (according to 33 or 97.1% of respondents), the party receiving land rights has acknowledged it when the granting party requests such compensation. The granting party—Mr. OL, in this case—usually requests administrative fees and other funds when processing the transfer of rights from the original owner to the subsequent owner. Another term for this compensation is betel leaf and areca nut money, a widely recognized term in the NTT community, especially in the city of Kupang.

It is common for matters involving multiple parties, including the transfer of land rights, to be known by other parties, especially government authorities. In this study, it turns out that all respondents (78 or 100.0%) stated that local government officials (village head, RW head, RT head, or other officials) were unaware of the timing of their
initiation, even after taking control of the land. Ideally, authorities should be aware when community members take control (encroach), but in reality, the authorities are unaware, as stated by 78 (100.0%) respondents. If consulted (matched) with the criteria for interpreting percentage values according to N. Lapono (1986), the knowledge of authorities about the time or when community members start to control state land is classified as very weak.

The lack of awareness among government authorities regarding the time or when community members begin to control state land is due to the absence of a specific timeframe set (scheduled) for supervision. Government authorities only rely on incidents or experiences that occur in the community. If something significant happens, including land encroachment, which is the focus of this research, authorities will automatically become aware of it through reports or notifications from other community members who are not involved in the encroachment.

3.1.2 The Level of Firmness of Village Government Authorities

The government authorities are unaware because the community members undertake the occupation (encroachment) when there are no government officials present at the encroached location. Government officials conduct surveillance, but they are not on-site 24/7 or at all times. Nevertheless, even if community members do not report when they first start occupying the encroached land, this information is still known by the local government authorities shortly thereafter. This is because the village government officials are the closest to the community and are most informed about anything happening within the community. Events within the community are known to government officials either directly or through information from other community members. When the local government officials become aware of when community members start cultivating or occupying the land (that has been encroached), certain attitudes emerge, ranging from positive or supportive attitudes to opposing attitudes. Table 1 shows that the majority (75 or 96.2%) of respondents state that government officials are not or less firm, meaning they are indifferent or ignorant about compliance with encroachments on state land. Regrettably, no respondents state that government officials take a firm stance on this matter.
In reality, the authorities should take a firm stance to prohibit community members from engaging in land occupation (encroachment); however, the fact is that they do not. Contrarily, 75 (96.2%) respondents state that the government authorities are not or less firm (see Table 1). When consulting (matching) this with the percentage value interpretation criteria according to N. Lapono, the attitude toward land occupation by community members is considered very weak or not firm at all.

The firm attitude referred to here means that the authorities demand land encroachers to strictly adhere to the warnings or admonitions given. Being sufficiently firm implies that the authorities demand land encroachers to comply with the warnings or admonitions given, but the demand is not strong or forceful. Not or less firm means that the authorities are indifferent or careless about the compliance of land encroachers.

### Warning Frequency

The frequency of warnings issued by the local government officials, according to the respondents, is that the government officials admonish them once or twice verbally, and after that, they are never admonished again. Table 2 indicates that as many as 31 (91.2%) respondents have never been warned by government officials. In principle, government officials should exhibit firmness by strictly prohibiting the public from engaging in land encroachment through strong warnings. However, in reality, 31 (91.2%) respondents assert that government officials have never warned them (see Table 2). When consulted and matched with the criteria for interpreting percentage values according to N. Lapono, the attitude towards land encroachment by the community is considered very weak or not firm at all.

<table>
<thead>
<tr>
<th>No</th>
<th>Attitude</th>
<th>f</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Firm</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>2</td>
<td>Moderately Firm</td>
<td>3</td>
<td>3.8</td>
</tr>
<tr>
<td>3</td>
<td>Not Firm or Less Firm</td>
<td>75</td>
<td>96.2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>78</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Primary data processing results (2023).
Table 2. Frequency of Warnings by Local Government Officials to Respondents.

<table>
<thead>
<tr>
<th>No</th>
<th>Frequency of Warnings</th>
<th>F</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1-2 times Warning</td>
<td>3</td>
<td>3.8</td>
</tr>
<tr>
<td>2</td>
<td>No Warnings</td>
<td>75</td>
<td>96.2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>78</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Results of primary data processing, 2023

3.1.4 The Form of Warning

It is common for there to be two forms of reprimand used, namely written and unwritten forms. In this study, government officials who have reprimanded only used verbal form. Respondents have various attitudes towards reprimands from government officials, but the most common is the attitude of disagreement. This disagreement is not expressed directly or explicitly to government officials, but rather covertly. In order for this covert attitude to become clear and firm, government officials must continuously visit the encroachers to reprimand them. Just because a few times the community members do not immediately comply, it does not mean that government officials should no longer visit the encroachers, as has been practiced by the Kelurahan Manutapen government officials in the research location. The reprimands mentioned are done verbally and not regularly or periodically at specific time intervals. Those who disagree continue to control the land they have cultivated and proceed to a stronger stage of control.

Ideally, officials should issue written reprimands — assumed to be firmer — to encroachers when community members undertake encroachment, but in reality, officials do not do so. In fact, all (3 or 100.0%) respondents stated that government officials only use verbal reprimands. If consulted (matched) with the criteria for interpreting percentage values according to N. Lapono, the attitude towards encroachment on state land by the community is classified as very weak or not firm at all.

3.2 STAGES OF LAND CULTIVATION OR ACQUISITION

In acquiring or encroaching upon state land, community members proceed through specific stages. Table 3 outlines these stages. An intriguing question arises: has anyone or any party ever conveyed to the encroaching community members that seizing land in state-owned areas constitutes a violation, or is essentially prohibited? This question is raised due to the reputation of the people of East Nusa Tenggara, particularly the Timorese, known for their obedient, compliant, and loyal nature towards revered or exemplary figures, as mentioned by the former Regent of TTS, Piet A. Tallo (1991).
Table 3. Stages of Cultivation of Land Acquisition (N=78)

<table>
<thead>
<tr>
<th>No</th>
<th>Stages of Cultivation</th>
<th>f</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Creating boundaries with living fences or other forms, cultivating, processing,</td>
<td>24</td>
<td>30.8</td>
</tr>
<tr>
<td></td>
<td>establishing gardens, and so forth. Initiating the cultivation of short-term or soft</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>plants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Building small huts or shelters as protection from rain and heat</td>
<td>27</td>
<td>34.6</td>
</tr>
<tr>
<td>3</td>
<td>Cooking food, beginning to stay overnight, or during extended periods such as half a</td>
<td>15</td>
<td>19.2</td>
</tr>
<tr>
<td></td>
<td>day, a day, two days, and so on</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Repairing (rehabilitating) small huts into emergency homes</td>
<td>22</td>
<td>28.2</td>
</tr>
<tr>
<td>5</td>
<td>Replacing earthen floors with cement floors</td>
<td>9</td>
<td>11.5</td>
</tr>
<tr>
<td>6</td>
<td>Replacing house foundations with cement</td>
<td>10</td>
<td>12.8</td>
</tr>
<tr>
<td>7</td>
<td>Constructing or replacing with semi-brick or semi-permanent houses; and/or initiating</td>
<td>13</td>
<td>16.7</td>
</tr>
<tr>
<td></td>
<td>the cultivation of long-term or hard plants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Constructing or replacing with brick or permanent houses</td>
<td>22</td>
<td>28.2</td>
</tr>
<tr>
<td>9</td>
<td>Managing land use rights and other permits such as Building Construction Permits (IMB)</td>
<td>0</td>
<td>0.0</td>
</tr>
</tbody>
</table>

Source: Results of primary data processing, 2023.

Note: (1) One respondent may provide more than one answer. (2) For the purpose of data analysis, these stages of cultivation and land acquisition will be grouped as follows: (a) First Stage: Stages 1, 2, 3, and 4; (b) Second Stage: Stages 5 and 6; and (c) Third Stage: Stages 7, 8, and 9.

If consulted (matched) with the criteria for interpreting percentage values according to N. Lapono, the stages or levels of land acquisition by the community are categorized as follows:

1. Strong Control: achieved when reaching Stage 8 to Stage 9. Respondents who have reached Stage 8 amount to 2 (5.9%). This number of respondents is still considered very small;
2. Moderate Control: Achieved when reaching Stage 5 to Stage 7. Respondents who have reached Stage 7 amount to 12 (35.3%). This number of respondents is considered relatively small;
3. Weak Control: Achieved when reaching Stage 1 and Stage 4. Respondents who have reached Stage 4 amount to 22 (64.7%). This number of respondents is considered quite substantial.

3.3 THE RELATIONSHIP BETWEEN THE ATTITUDE OF LOCAL GOVERNMENT AND THE STAGES OF LAND CULTIVATION AND SEIZURE BY COMMUNITY

The relationship between the local government's attitude and the stages of land cultivation and appropriation by the community is presented in Table 4. Horizontal analysis of Table 4 indicates the following: First, in the group with a firm and reasonably firm attitude from the local government, the stages of land cultivation and appropriation by the community are more frequent or tend towards stage 1 or weak control (50.0%). Subsequently, the stages of land cultivation and appropriation at stage 3 are less frequent.
(25.0%). Second, in the group with a less firm and non-firm attitude from the local government, the stages of land cultivation and appropriation by the community are more frequent or tend towards stage 3 or strong control (44.6%). Furthermore, the stages of land cultivation and appropriation at stage 1 are less frequent (32.4%).

In other words, the cross-table analysis indicates that the attitude of the government officials is related to the stages of land cultivation and appropriation by the community. A firm and reasonably firm government attitude results in weak stages of land cultivation and control. Conversely, a less firm and non-firm government attitude leads to strong stages of land cultivation and control.

### Table 4. The Relationship between the Attitude of Local Government and the Stages of Land Cultivation and Appropriation by the Community (N=78).

<table>
<thead>
<tr>
<th>No</th>
<th>Local Government Attitude</th>
<th>Stages of Land Cultivation and Appropriation</th>
<th>F</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Stage 1</td>
<td>Stage 2</td>
<td>Stage 3</td>
</tr>
<tr>
<td>1</td>
<td>Firm and Reasonably Firm</td>
<td>f</td>
<td>%</td>
<td>f</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2</td>
<td>2.6</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>50.0</td>
<td>25.5</td>
<td>25.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7.7</td>
<td>5.6</td>
<td>2.9</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Less Firm and Not Firm</td>
<td>24</td>
<td>30.8</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td></td>
<td>32.4</td>
<td>22.9</td>
<td>44.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>92.3</td>
<td>94.4</td>
<td>97.1</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>26</td>
<td>32.1</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: Primary Data, 2023.

Note: *) = General Analysis; **) = Row Analysis; ***) = Column Analysis

### 3.4 ENCROACHMENT ON STATE LAND AND ENVIRONMENTAL DEGRADATION

According to Pramudya Sunu (2001: 19), the understanding of the environment already encompasses both the human and animal environments. Environmental issues have become significant so that humans can apply the principles and fundamental concepts of ecology in the environment. Thus, the environment is a spatial unity comprising all objects, forces, conditions, and living beings, including humans and their behavior, that influence the sustainability of human life and the well-being of other living beings.

Earth, as the only planet promising life for humanity and other living beings, requires significant attention to avoid damage. We are all aware that the environment is
increasingly deteriorating. The degradation of the environment is largely caused by human activities and behaviors that lack environmental awareness.

3.4.1 Human Being And Environment

Human beings can sustain life within their ecosystem due to the balance of various ecosystem components. Primitive humans could coexist with the surrounding nature without causing harm. This was possible because their population was relatively small, and their needs were not extensive. The life and development of humans as one of the ecosystem components fundamentally depend on, are influenced by, and influence their ecosystem. The absolute growth of the population must be controlled because if human population growth is unchecked, the carrying capacity of the environment will be unable to provide well-being for humanity, and disasters become difficult to avoid. The larger the human population, the more challenging it is to avoid large-scale exploitation of nature, making the environment an inevitable problem.

Human concerns about environmental issues that can reduce the quality and comfort of human life today can be observed with the emergence of various non-governmental organizations (NGOs) focused on the environment. The environmental awareness movement by various components of society is a hope for the sustainability of the Earth as the only planet capable of sustaining life and being spared from damage.

3.4.2 Environmental Management and its Implications

The environment should be managed effectively to provide life and well-being for humans. The objectives of environmental management, according to Pramudya Sunu (2001), are as follows:

a. The achievement of harmonious relationships between humans and the environment as the goal of developing complete human beings.

b. The wise control of the utilization of resources.

c. The realization of humans as environmental stewards.

d. The implementation of environmentally conscious development for the present and future generations.

e. The protection of the country against the impacts of activities outside the country's territory that cause environmental damage and pollution.

Pramudya Sunu (2001) states that the sustainability of nature is crucial to support human livelihoods. Ironically, environmental degradation and the decline in environmental carrying capacity are largely caused by human activities with various interests. Thus, there is a gap in human awareness and concern. Therefore, immediate action is needed to address this gap so that humans understand the importance of managing the environment through education, training, information, and other means.

The realization of humans as environmental stewards is our collective hope for the sustainability of the environment to be harmonious and balanced according to its purpose. This is where the role of all parties and all layers of society is needed to actively participate in preserving the environment. A strategic role in managing the environment lies, especially, with the government, which holds authority over the exploration of natural resources. A crucial element for achieving environmentally conscious development is the realization of humans as environmental stewards, wherever they may be. Individuals in governance play an extremely strategic role, issuing policies and overseeing their implementation. Those involved in the industrial and service sectors directly contribute to either polluting or preserving the environment. Individuals in the education sector play a significant long-term role, shaping individuals to have a comprehensive understanding and concern for the environment. The general public also holds a vital role wherever they are, actively contributing to the conservation and protection of the environment to prevent degradation.

In addition to the environmental damage caused by the lack of concern from some segments of society, there is still hope for improvement through the emergence of human awareness towards the environment. Through current actions and conditions, humans have anticipated the future environment. This is evident in the movement for environmental conservation by various components of society, such as non-governmental organizations (NGOs). Human concern for environmental sustainability has experienced encouraging progress. This is evident, for example, in various conferences on environmental issues. The sustainability and survival of the Earth require global efforts because every country, without exception, is threatened by environmental disasters. Industrialized countries bear greater responsibility due to the worsening of the global environment, primarily caused by human actions.

The environmental carrying capacity, which has suffered damage, requires an extensive recovery period. Therefore, all parties must pay attention to it to prevent further
harm to the environmental carrying capacity. Generally, damage to the environmental carrying capacity is caused by two factors: internal and external (Pramudya Sunu, 2001). These two factors can be explained as follows.

3.4.3 Damage to Environmental Carrying Capacity

The environmental carrying capacity that has suffered damage requires a very long recovery time. Therefore, all parties must pay attention to it to prevent environmental carrying capacity from being damaged. Generally, damage to environmental carrying capacity is caused by two factors, namely internal and external factors (Pramudya Sunu, 2001). These two factors can be explained as follows:

3.4.3.1 Degradation Due to Internal Factor

The damage to environmental carrying capacity due to internal factors is the damage originating from the Earth/nature itself. Essentially, damage to environmental carrying capacity caused by internal factors cannot be avoided as it is a natural process. Usually, the damage occurs in a short period, but its consequences can be felt for a considerable time. The damage to environmental carrying capacity due to internal factors includes:

1. Earthquakes resulting in environmental damage
2. Volcanic eruptions that damage the surrounding environment
3. Storms that devastate the environment
4. Large floods resulting in environmental destruction

3.4.3.2 Degradation Due to External Factors

Damage to the environmental carrying capacity due to external factors is the damage resulting from human behavior to enhance the quality and comfort of life without considering environmental sustainability. The damage that arises from the decline in environmental carrying capacity no longer brings comfort to life; instead, it becomes a disaster for human existence. Therefore, humans must rectify the damage and the decline in environmental carrying capacity.

Human activities with their various interests should take into account environmental sustainability to prevent damage to the environmental carrying capacity.
The damage to the environmental carrying capacity is generally caused by activities such as:

1. Industries that pollute the environment, such as industrial waste discharged into the environment
2. Exploitation of natural resources without proper recovery
3. Excessive use of fossil fuels
4. Household waste disposed into channels/riders
5. Other service activities such as markets, hospitals, hotels, and farms

Pramudya Sunu (2001) suggests that environmental degradation actively began with the Industrial Revolution around two centuries ago. Various goods were produced to meet human life's needs. The discovery of steam engines and internal combustion engines further accelerated the growth of various industries for the improvement of human well-being. The increase in the quality of life also accelerated the growth of the population, which required all the necessary infrastructure, especially to meet the needs in the food sector.

The world's population was estimated to reach 6.1 billion in the year 2000, and the energy required was also estimated to be twice that of 1985. Various needs to meet human requirements such as food, shelter, and other facilities continue to increase, signifying an environmental burden. Physical development unsupported by environmental sustainability efforts will accelerate the process of environmental degradation. This can be indicated by the reduction of various terrestrial and marine biota as well as species in areas experiencing physical development growth. Studies and analyses regarding environmental impacts should not merely exist as slogans and mottos but must align with practical implementation. Hence, the commitment of all parties is required to preserve the environment so that future generations do not inherit the environmental damage caused by current human actions.

According to the author's observations, the most significant contributors to environmental degradation in several locations in the city of Kupang is identified as agriculture, livestock farming, and housing development. These factors can be elucidated as follows

1. Environmental Damage Due To Agriculture

Environmental pollution began when humans embraced agriculture, a process often accompanied by deforestation through both logging and burning. Opening up
agricultural land through forest burning may be considered cost-effective and quick; however, from an environmental standpoint, it is quite costly as it can eradicate biodiversity. Shifting cultivation patterns can also harm the environment by transforming the forest's function into grasslands or deserts. This environmental degradation can lead to disasters such as floods during the rainy season or droughts in the dry season (Pramudya Sunu, 2001).

For example, the teak and kabesak forests owned by the Indonesian Ministry of Forestry in the Manutapen Village were cleared and used by the community to meet their demand for firewood. Subsequently, the newly cleared land was utilized for agriculture, specifically for cultivating various crops such as peanuts, corn, cassava, long beans, and others.

2. Environmental Damage Due To Livestock Farming

Following agriculture as a factor contributing to environmental damage, the next cause of environmental degradation is the influence of the livestock sector. One of humanity's life necessities comes from animals, such as meat, leather, and milk. Human demand for livestock has been steadily increasing, while livestock requires land and feed, primarily sourced from plants. Inappropriately planned livestock distribution patterns can cause environmental damage by accelerating land depletion (Pramudya Sunu, 2001).

The residents of Manutapen Village, as well as new inhabitants in the state land that was encroached upon, brought along their livestock. These animals were released freely in the surrounding areas of the settlement. Feed for the community's pets was obtained from various existing trees. Often, there was damage to the residents' crops caused by the unleashed or intentionally released animals. Consequently, the population of trees around the settlement and the two existing check dams decreased.

3. Environmental Damage Due to Housing

Additionally, another sector not mentioned by Pramudya Sunu that contributes to environmental degradation is housing. There are quite a few areas that are classified as green corridors and locations of forests owned by the Indonesian Ministry of Forestry that have been encroached upon or taken over by the community. The method employed by the community involves occupying the land without proper legal rights or authority, essentially encroaching upon state land. Encroachment is carried out either individually or collectively by community initiatives. They choose and distribute state lands among themselves for personal use. The losses incurred by the state are twofold: Firstly, the
country loses valuable assets and wealth, crucial for building various facilities, including forests as the world's lungs. Secondly, the provincial government of East Nusa Tenggara (NTT) and the Kupang City Government are unable to dredge the Manutapen Check Dam, which is a tourist attraction featuring lotus flowers, now becoming shallow due to sedimentation. The government cannot dredge the mud from the dam because the usual mud disposal site has been encroached upon, with several houses constructed on it. Until now, the Manutapen Check Dam continues to shallow due to mud deposition, but the government cannot dredge it again.

4 CONCLUSION

The encroachment on state land and environmental degradation (forests) occurs due to the local government authorities not expressing a firm stance and taking decisive actions in overseeing as required. However, such indecisive attitudes and actions can lead to adverse consequences. Additionally, this situation can give rise to numerous issues, such as hindering the implementation of development plans previously established, for instance, in advisory plans and master plans for urban development. The results of this research indicate that the indecisive stance and actions of the local government authorities at the sub-district/village level serve as criminogenic factors contributing to various offenses involving the encroachment on state land and environmental degradation (forests).
REFERENCES


