

Perempuan adat non elit, eksklusi berlapis, dan perjuangan hak kewarganegaraan atas hutan adat studi kasus di masyarakat adat Kasepuhan Karang, Lebak, Banten = Non-elite indigenous women, multi-layered exclusion, and struggling for citizenship over customary forest a case study at Kasepuhan Karang, Lebak, Banten

Nia Ramdhaniaty, author

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Abstrak

ABSTRAK

Studi ini menunjukkan bahwa perempuan adat non elit telah dieklusi secara berlapis dari proses perjuangan hak kewarganegaraan masyarakat adat atas hutan adat. Keberadaan masyarakat adat secara global maupun di Indonesia belum sepenuhnya mendapatkan pengakuan atas tanah dan sumber daya alamnya. Hutan adat yang terdapat di wilayah adatnya dinyatakan sebagai hutan negara. Penetapan hutan adat secara legal berdasarkan putusan Mahkamah Konstitusi No. 35/PUU-X/2012 merupakan upaya perwujudan hak konstitusional kewarganegaraan masyarakat adat atas tanah dan sumber daya alamnya. Namun dalam proses perjuangannya perempuan adat non elit tidak pernah terlihat dan terlibat. Studi ini bertujuan untuk menelusuri kompleksitas eksklusi berlapis yang dialami perempuan adat non elit dalam proses perjuangan hak kewarganegaraan masyarakat adat atas hutan adat. Studi kualitatif yang dilakukan dengan pendekatan life her story pada lima perempuan adat non elit ini menunjukkan bahwa terdapat hubungan antara proses eksklusi berlapis perempuan adat non elit dengan perjuangan hak kewarganegaraan masyarakat adat atas hutan adatnya. Dengan mengadopsi teori power of exclusion yang dikembangkan oleh Derek Hall, Philip Hirsch, dan Tania Li, teori feminist political ecology dari Rebecca Elmhirst, dan teori feminis tentang kewarganegaraan dari Anupama Roy, argumentasi pada studi ini adalah 1 bahwa ketidakterlibatan perempuan adat non elit dalam proses perjuangan hak kewarganegaraan masyarakat adat atas hutan adat karena perempuan adat telah dieklusi secara berlapis, dan 2 untuk itu penetapan hutan adat memiliki beragam limitasi yang memunculkan keberagaman dilema perempuan adat non elit dalam pengelolaan lahan dan sumber daya alam lainnya.

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ABSTRACT

This study show that non elite indigenous women had been excluded in multi layered from the process of citizenship rights struggle over customary forest. The existence of indigenous people globally as well as in Indonesia had not fully got its recognition over its land and natural resources. Customary forest which located in their community area declared as the state forest. The customary forest legal determination based on Constitutional Court Decree No. 35 PUU X 2012 was an embodiment effort of inidigenous people citizenship constitutional rights over their land and natural resources. However, in the struggling process, the non elite indigenous women, never been seen and involved. This study aimed to search the complexity multi layered exclusion which experienced by non elite indigenous women in the process of inidigenous people citizenship rights struggle over their customary forest. This qualitative study which performed with life her story approach in five non elite indigenous women, showed the connection between the multi layered exclusion process of non elite indigenous women with the struggle of indigenous people citizenship rights

over their customary forest. By adopting the power of exclusion theory which developed by Derek Hall, Philip Hirsch, and Tania Li, feminist political ecology theory by Rebecca Elmhirst, and feminism theory on citizenship by Anupama Roy, we argue 1 that the non involvement of non elite indigenous women on the struggling process of indigenous people citizenship rights over the customary forest because the non elit indigenous women had been excluded in multi layered, therefore 2 the determination of customary forest gained various limitation that gave rise variety of non elit indigenous women rsquo s dilemmas in managing land and other natural resources.