

PSYCHO-JURIDICAL OF PEOPLE'S OIL MINING TRADITIONS IN LAMA BARU VILLAGE AND TELAGA SAID VILLAGE, SEI LAPAN DISTRICT, LANGKAT DISTRICT, NORTH SUMATRA

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Enter : 06-04-2024, revision: 15-04-2024, accepted for publication : 20-05-2024

ABSTRACT

People's oil mining is carried out by community members for hundreds of years from one generation to the next, so that oil mining activities have become a custom in certain areas. This research aims to describe the psycho-juridical customs of oil mining in Lama Baru Village and Telaga Said Village, Sei-Lama District, Langkat Regency, North Sumatra. Data collection techniques using interviews, observation and documentation notes. The criteria for respondents were that they had knowledge, skills and experience mining oil in Lama Baru Village and Telaga Said Village, Langkat Regency, North Sumatra. The sampling technique is purposive sampling technique. Data analysis using a thematic approach. The results of the research show that the psycho-juridical custom of community oil mining has grown and developed in the communities of Lama Baru village and Telaga Said village, Sei-Lama District, Langkat, North Sumatra. Cognitively, the community has good knowledge and understanding of community oil mining activities in their area. Affectively, there are economic motives that drive people to carry out oil mining. Conatively, the community works as oil miners in their village area. Customary law has experienced growth and development through the business permit policy issued by Sultan Azis, leader of the Langkat Kingdom, to the Dutch Colonial government oil company, NV Koninklijke Nederlandsche Maatschappij" which also involved village communities in working to mine oil. The 80:20 profit sharing law applies to residents who manage oil mines owned by neighbors or other people. If there is a dispute in oil mining, the village head acts as a judge to resolve the dispute using the win-win principle.

Keywords: customary psycho-juridical, people's oil mining, North Sumatra

1. PREFACE

Sustainable Global Development (SDG) is the basis for the Republic of Indonesia to create a developed country that is recognized globally. The Indonesian government encourages all state institutions and private institutions to participate in making Indonesia a developed country. One of the private institutions is a private university. Related to this, one of the strategic plans for research in the field of psychology at the Faculty of Psychology, Tarumanagara University, Jakarta (2020-2025) is to develop the psychological well-being of society. Attention to the development of psychological well-being will be able to make a positive contribution to efforts to realize the quality of Indonesia's human resources. Therefore, research on psychological well-being is research related to positive psychology that can be carried out throughout Indonesia, namely from Sabang to Papua. One of the implementations of the strategic plan for psychological science research related to Sustainable Global Development (SDG) is research on the psycho-juridical aspects of community oil mining customs in Lama Baru Village and Telaga Said Village, Sei Lapan, Langkat, North Sumatra.

Since 1880, the Lama Baru Village and Telaga Said Village areas, Sei Lapan District, Langkat Regency, North Sumatra have been known as oil-producing village areas that can support the

economy of the Langkat Kingdom, North Sumatra (Windari, 2017). These two village areas contain abundant oil deposits, so they became oil mining sites managed by the Dutch colonial government. These oil mining activities provided economic benefits for the Dutch colonial government and the Kingdom of Langkat. Under the leadership of Sultan Abdul Azis (1897-1927), the results of oil mining were able to be used to prosper and prosper the lives of the people of the Langkat Kingdom (Jati, 2016; Tanjung, 2017).

After the independence of the Republic of Indonesia on August 17 1945, the management of oil mines in the Lama Baru village area and Telaga Said village was carried out by Pertamina, a government company of the Republic of Indonesia. All oil mining results are stored in Pangkalan Brandan, Sei Lapan, Langkat Regency, North Sumatra. Since 1970, the government of the Republic of Indonesia has stated that oil mining in the Telaga Said village area is considered old wells, because the oil content has run out and is no longer capable of producing oil. If it is operational, the operational costs will be higher than the proceeds from oil sales from mining, so that Pertamina will experience losses. Thus, Pertamina decided to stop mining activities in these old wells (Setiawan, & Astrika, 2017).

However, local people use these old wells to mine them again to produce oil. It turns out that the old wells are still productive, which gives hope for their lives. In fact, most of the community members depend on oil mining activities for their livelihoods. They diligently operate these oil mines traditionally. The way they mine is by using buckets in well holes. The bucket is tied with a rope and hoisted via a winch. Then, the bucket is lowered to the bottom of the well hole. After the bucket is filled with liquid oil, the bucket is pulled up and immediately poured into a holding tank. Along with technological developments, oil mining is carried out using motorbike or car engines that are modified in such a way, so that oil mining becomes easier to increase oil production.

The government had banned oil mining carried out by the community because it was considered illegal (unofficial) because they did not have official permission from the government (Nasriyan, 2018; Wahyudi, 2020). Of course, the community objected, because they had lived around the mining area for a long time before the Dutch arrived in Langkat, North Sumatra. The community still continues to extract oil for the reason of supporting the family's economic life. Even though some community members work as laborers/employees at palm oil companies, their income is unable to meet their family's living needs. They also argued that the oil mining land was their land as evidenced by the existence of a certificate of ownership. They also comply with paying property tax (PBB) every year. Therefore, they stated that the oil mining activities were legal and halal. Meanwhile, some residents borrow oil palm plantation land belonging to a company based on the company's permission. They also pay land rent. Based on the lease permit, community members manage traditional oil mines. The results have a positive impact, namely an increase in prosperity and welfare for the family (Tanjung, 2017; Dariyo, 2020).

From the explanation above related to the views of experts such as Chin (2023); and Gonzales & Plaut (2024) who have integrated and developed the study of legal psychology to understand the phenomena of psycho-juridical life that develop in a society, both traditional and modern society. Based on this view, the psycho-juridical phenomenon of traditional communities is in accordance with traditional oil mining activities in the communities of Lama Baru and Telaga Said villages, Sei Lapan, Langkat, North Sumatra. The psycho-juridical nature of traditional society contains psychological dimensions and customary legal dimensions. In view of the psychological concept, traditional oil mining contains cognitive, affective and conative aspects (Lilienfield et al., 2009).

The cognitive aspect is related to the knowledge, thoughts and oil mining skills possessed by the community. The affective aspect focuses on economic motivation for people to fulfill their family's living needs. The conative aspect is how people behave in mining oil in a traditional way. In the view of customary law, it is in accordance with the views of Windarti (2017). According to Windari (2017), Sultan Tengku Abdul Azis (1897-1927), who ruled the Langkat Kingdom, became a protector by issuing a policy for the community members who had long lived around the mining area. The sultan's policies have developed and become customary law that has been passed down from generation to generation. This means that the sultan's policy is a legal source that allows people to mine oil with the aim of maintaining their economic life. They were allowed by the Sultan to manage the mine according to their abilities, as long as they could preserve the environment as well as possible. So customary law is a social institution in the form of values, norms and rules which are the basis for thinking, acting and behaving as citizens in the region (Abubakar, 2013; Sulistiani, 2021). On the basis of this idea, the problem was formulated, what is the psycho-juridical description of People's Oil Mining Customs in Lama Baru Village and Telaga Said Village, Sei-Lapan District, Langkat Regency, North Sumatra?

2. RESEARCH METHOD

Data Collection Techniques. This research uses a qualitative-descriptive approach with data collection techniques through interviews, observation and documentation notes. Interviews were conducted with subjects who were in direct contact with people's oil mining lives. Interviews were conducted with resource subjects based on a list of questions that had been prepared in advance. The interview guide is prepared based on psychojuridical concepts which include psychological dimensions and customary law dimensions (Chin, 2023; Gonzales & Plaut, 2024). Psychological dimensions such as cognitive aspects, affective aspects and conative aspects. The dimensions of customary law are sources of customary law, customary law for profit sharing, customary law for problem resolution. Observations were carried out at oil mining locations in the Lama Baru village area and Telaga Said Village, Sei-Lapan District, Langkat Regency, North Sumatra. Documentation notes can be taken from various written notes such as news from newspapers, online media, journals, books and so on.

Sampling Techniques. The research sample was taken using a purposive sampling technique, meaning that the sample was based on certain criteria (Sugiyono, 2018), such as male or female, occupation as a community oil miner, or a person who owns a community mining business, or an authorized official in charge of the Telaga Said village area. the.

Research sites. Sei Lapan District consists of 9 villages (Harapan Baru, Harapan Maju, Harapan Makmur, Lama, Lama Baru, Mekar Makmur, Puraka I, Puraka II, and Telaga Said) and 5 sub-districts (Alur Dua, Alur Dua Baru, Harapan Baru, Sei West Bar and Sei East Bar). This research involved 2 villages, namely Lama Baru village and Telaga Said village. Lama Baru village is led by a village head named KG, while Telaga Said village is led by a village head named Bp Ath.

Data analysis technique. Before data analysis, triangular data was carried out based on the results of cross-checks between interviews, observation and documentation. This approach is a critical approach that complements each other in order to realize research results that are logical, rational and systematic. Data analysis using a thematic approach.

3. RESULT AND DISCUSSION

Meanwhile, legally speaking, traditional oil mining activities were born and developed through the policies of the sultans who ruled for hundreds of years throughout the kingdom of Langkat, North Sumatra (Windari, 2017). Community oil mining carried out by the people of Lama Baru Village and Telaga Said Village, Sei Lapan, Langkat, is a daily activity that has been going on for hundreds of years. Initially, the Dutch mining company "NV Koninklijke Nederlandsche Maatschappij" had received official permission from Sultan Musa, the leader of the Langkat kingdom to manage oil mining in the Langkat area, including in Lama Baru Village and Telaga Said Village (Windari, 2017). During the Dutch colonial period, village communities were involved as laborers by the Dutch oil company to carry out mining. Likewise, after independence on 17 August 1945, they were still an important part of mining activities. This means that they are also involved in oil mining. Historically, the sultans of the Langkat kingdom have issued positive policies that gave communities around the mine the opportunity to enjoy the results of oil mining (Windari, 2017). As community leaders, the sultans strive hard to fulfill the interests of the community, namely to prosper economically and improve the social life of the community (Kurnia, 2015).

The Sultan of Langkat's policy is in accordance with the views of Latif (2021) who believes that communities around mining areas deserve serious consideration in obtaining the rights to benefit from mining activities carried out by a mining company. The community should also have the right to legal protection, so that they can feel calm, peaceful and comfortable in carrying out their daily work activities as miners. Nugroho, Imamulhadi, Nugroho, and Nurlinda (2019) also believe that traditional law communities should receive real benefits that are felt directly related to mining activities to support their livelihoods and livelihoods. Apart from that, according to Poluan, Purwanto & Mumu, (2023) that by involving local communities in oil mining, this is a social strategy to eliminate jealousy and social conflict in society. In line with the research results of Kinanti and Indrayanti (2023) that from a macro perspective, oil mining will have a positive impact, namely an increase in local original income felt by the regional government concerned, so that it can increase development in order to realize the social welfare of the community.

According to legal experts (Susilawati, 2009; Abubakar, 2013; Sulistiani, 2021) there are 2 sources of customary law, namely written legal rules and unwritten legal rules. Written legal rules are rules written on sheets of paper issued by a leader of a certain area. Unwritten legal rules are rules that have never been written down in any form, but these rules are carried out every day by all members of society. They obey these rules as a form of respect and appreciation for the shah leader who rules all social areas of society. This also applies to the policies of the Sultan of the Langkat Kingdom as a source of law that is obeyed by the people of Langkat.

A sultan as a powerful leader in the Langkat sultanate area. When the sultan made a policy, the policy became a legal rule that applied in the Langkat sultanate (Windari, 2017). If a Sultan has made a policy to allow village residents to carry out oil mining around oil mining areas, then this policy is a legal rule that is obeyed by the community. The community receives official policy support and legal protection from the government (Latif, 2021). This has been going on for a long time since the Dutch Colonial period until independence in 1945, and even continues today. So the people believe that the Sultan of Langkat's policies are a legal reference that has been in effect for generations so that it has become customary law in the community. The community works in oil mining in Lama Baru Village and Telaga Said Village, Sei Lama District, Langkat Regency.

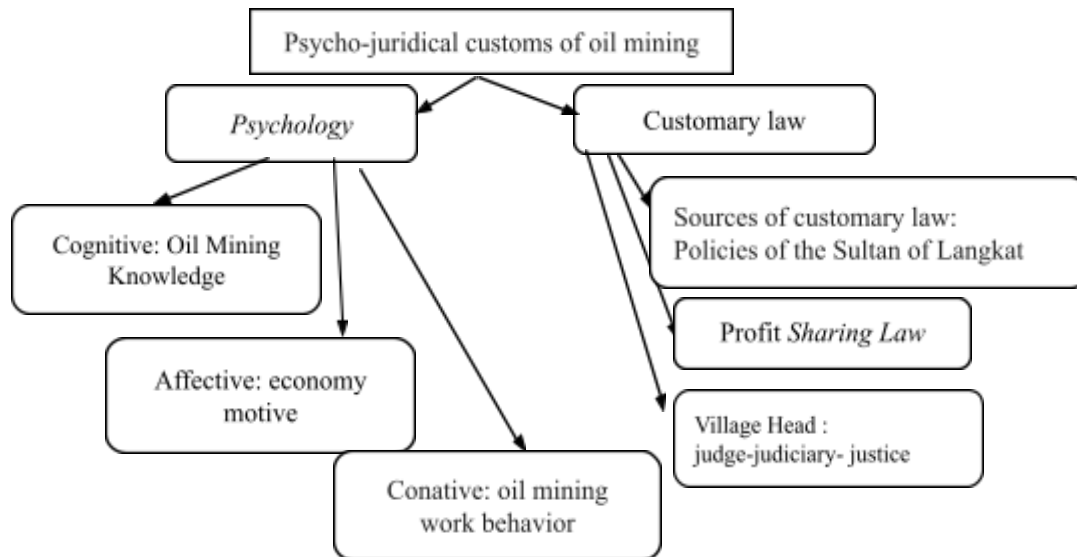
If some people do not have mining land, they can work on their neighbors' mining land. Especially for those who work for oil mine owners, they will receive daily, or weekly, or monthly wages; depending on the initial agreement between the worker and the owner. If the initial agreement is that workers receive weekly wages, then they are given a weekly salary. There are also mine owners who do not have time to manage the mine, because they are busy working as employees in the office, so their mining business is managed by other people using the profit sharing legal system that applies in the community. In general, there is an 80:20 profit sharing system. The legal system of profit sharing 80:20 means that the results of oil mining are divided between the mine owner and one (several people) working on the oil mine after deducting operational costs (such as the cost of replacing equipment or purchasing equipment). 80% of the proceeds become the rights of the mining land owner, while 20% of the results become the property of the people carrying out mining activities. Indeed, this profit sharing system is sometimes considered unfair by some people who work on oil mining, because they get little results, so they protest against the policy of the profit sharing legal system and want a fairer and more humane distribution. Profit sharing matters like that are what trigger a dispute between the mine owner and the people working on the mine. If there is a dispute in oil mining activities, each resident will come to the village head to obtain a resolution. The village head is neutral, not taking sides with either party in the dispute. Village heads try to be wise in making decisions to resolve disputes (Rahayu, Mulyanto, & Mayastuti, 2016; Nainggolan, 2018; Poluan, Purwanto, & Mumu, 2023).

The community recognizes the obstacles they face in carrying out oil mining, such as limited knowledge of oil mining, limited financial capital, and limited business permits. The mining community has difficulty understanding in detail and completely matters related to oil mining. They have never received formal education related to oil mining. The government or society has never built an educational institution that specifically teaches mining. This is different from the Development Vocational School which was built by the regional government of Blora Regency, Central Java. This educational institution is an educational center that teaches students to master the ins and outs of oil mining.

They also have financial limitations. Oil mining activities require very large capital, so it is impossible for individuals or individual community members to finance the mining (Yuriska, & Wicaksono, 2015). The practical solution is that the community forms a mining group consisting of several people (i.e. 4-12 people). Together they must prepare to raise money to build an oil mining business. The results of oil mining tend to be profitable and successfully contribute to the welfare of village communities. Apart from that, they also have limited business permits. Almost all oil mining activities do not have a permit from the government, so they are often considered illegal oil miners. However, they remain confident in oil mining activities in their region, because they have obtained customary legal policies from the Langkat sultanate government which have been going on for hundreds of years until now (Kurnia, 2015; Nasution et al., 2023).

Figure 1

Psycho-juridical scheme for community oil mining customs in Lama Baru Village and Telaga Said Village, Sei Lama, Langkat, North Sumatra



4. CONCLUSIONS AND RECOMMENDATIONS

The psycho-juridical custom of people's oil mining has developed in the communities of Lama Baru village and Telaga Said village, Sei-Lama District, Langkat, North Sumatra. Cognitively, the community has good knowledge and understanding of community oil mining activities in their area. Affectively, there are economic motives that drive people to mine oil. Conatively, the community works as oil miners in their village area. Customary law has experienced growth and development through the business permit policy issued by Sultan Azis, leader of the Langkat Kingdom, to the Dutch Colonial government oil company, NV Koninklijke Nederlandsche Maatschappij" which also involved village communities in working to mine oil. The 80:20 profit sharing legal system applies to residents who manage oil mines owned by neighbors or other people. If there is a dispute in oil mining, the village head acts as a judge to resolve the dispute using the win-win principle.

This research makes a positive contribution to the development of psycho juridical knowledge of people's oil mining customs. Because it is recommended to continue various research activities related to community oil mining activities that can be carried out consistently to strengthen the principles, postulates or principles of the psycho juridical scientific field of community oil mining customs now and in the future.

Acknowledgement

The researcher would like to express his deepest gratitude for the financial support provided by the Institute for Research and Community Service at Tarumanagara University, Jakarta (SPK No. 017-SPK-PENREG-KLPPM/UNTAR/2024), so that this research activity could be carried out well.

REFERENCE

- Abubakar, L. (2013). Revitalisasi hukum adat sebagai sumber hukum dalam membangun system hukum Indonesia. *Jurnal Dinamika Hukum*, 13(2), 319-331. <http://dx.doi.org/10.20884/1.jdh.2013.13.2.213>.
- Chin, J. M. (2023). Law and psychology must think critically about effect size. *Discovery Psychology*, 3(3), 3. <https://doi.org/10.1007/s44202-022-00062-2>.
- Dariyo, A. (2020). Psycho-juridical of traditional oil mining in the Wonocolo village, Kedewan, Bojonegoro, East-Java. *Ecopsy*, 7(2), 84-90.
- Gonzales, R. M., & Plaut, V. C. (2024). A raceless legal psychology in a system marked by race. *Journal of Social Issues*, 80(1), 80-99. <https://doi.org/10.1111/josi.12605>.
- Jati, K. P. (2016). *Dampak penambangan minyak tradisional terhadap kondisi sosial ekonomi dan lingkungan hidup (Studi kasus Desa Ledok, Kecamatan Sambong, Kabupaten Blora)* (Doctoral dissertation, Universitas Sebelas Maret).
- Kinanti, Y., & Indrayanti, Y. (2023). Keterkaitan antara sebaran pertambangan minyak multiplier efek bagi pendapatan asli daerah di kabupaten kutai kertanegara. *Geo-Image*, 12(1). <https://doi.org/10.15294/geoimage.v12i1.64700>.
- Kurnia, R. D. (2015). Sistem pemerintahan kesultanan Langkat. *Analitca Islamica*, 4(1), 155-166. <http://dx.doi.org/10.30829/jai.v4i1.462>.
- Latif, U. (2021). Perlindungan hukum dan pemenuhan hak masyarakat hukum adat Lingkar Tambang. *National Journal of Law*, 4(1), 447-461. <https://doi.org/10.47313/njl.v4i1.1117>.
- Lilienfield, S. O., Lynn, S. J., Namy, L. L., & Woolf, N. J. (2009). *Psychology: From inquiry to understanding*. Pearson International Edition.
- Nainggolan, S. D. P. (2018). Kepala desa sebagai hakim perdamaian. *University of Bengkulu Law Journal*, 3(1), 54-67. <https://doi.org/10.33369/ubelaj.3.1.54-67>.
- Nasriyan, I. (2018). Penegakkan hukum terhadap pelanggaran penambangan ilegal gas bumi. *Logika: Jurnal Penelitian Universitas Kuningan*, 9(02), 91-95. <https://doi.org/10.25134/logika.v9i02.2456>.
- Nasution, A. G. J., Inayah, A., Harahap, F. K. S., Purba, H. M., & Handini, N. (2023). Peran kesultanan langkat dalam perkembangan islam di kota Langkat. *Inspirasi Dunia, Jurnal Riset Pendidikan dan Bahasa*, 2(1), 159-174. <https://doi.org/10.58192/insdun.v2i1.443>.
- Nugroho, W., Imamulhadi, I., Nugroho, B. D., & Nurlinda, I. (2019). Kebijakan pengelolaan tambang dan masyarakat hukum adat yang berkeadilan ekologis. *Jurnal Konstitusi*, 15(4), 816-835. <https://doi.org/10.31078/jk1547>.
- Poluan, R. M., Purwanto, A, & Mumu, R. (2023). Peran pemerintah desa dalam mengatasi konflik sosial yang terjadi di pertambangan di desa moreah satu kecamatan ratatotok kabupaten minahasa tenggara. *Jurnal Ilmiah Society*, 3(2).
- Rahayu, S. L., Mulyanto, M., & Mayastuti, A. (2016). Penguatan fungsi kepala desa sebagai mediator perselisihan masyarakat desa. *Yustisia*, 5(2), 340-360. <https://doi.org/10.20961/yustisia.v5i2.8750>.
- Ridwan, R., & Mursyidan, L. (2023). Evaluasi kebijakan tambang minyak dan gas bumi. *Publik: Jurnal manajemen sumber daya manusia, administrasi dan pelayanan publik*, 10(1), 127-139. <https://doi.org/10.37606/publik.v10i1.554>.
- Sugiyono, S. (2018). *Cara mudah menyusun skripsi, tesis dan disertasi*. Alfa Beta.
- Setiawan, A. T., & Astrika, L. (2017). Pemberdayaan berbasis koperasi pada tambang minyak tradisional desa Bangoan, kecamatan Jiken, Blora. *Journal of Politic and Government Studies*, 6(04), 111-120.
- Sulistiani, S. L. (2021). *Hukum adat di Indonesia*. Sinar Grafika

- Susilawati, E. (2009). Eksistensi hukum adat dalam sistem hukum di indonesia. *Al-Hikam: Jurnal Hukum dan Pranata Sosial*, 4(1), 124-140. <https://doi.org/10.19105/al-lhkam.v4i1.267>.
- Tanjung, M. (2017). Pertumbuhan lembaga pendidikan islam di kerajaan langkat tahun 1912-1942. *Jurnal Lektur Keagamaan*, 17(2), 318-333. <https://doi.org/10.31291/jlk.v15i2.526>.
- Vredeveltdt, A., van Rosmalen, E. A. J., van Koppen, P. J., Dror, I. E., & Otgaar, H. (2022). Legal psychologists as experts: Guidelines for minimizing bias. *Psychology, Crime & Law*, 30(7), 705-729. <https://doi.org/10.1080/1068316X.2022.2114476>.
- Wahyudi, C. (2020). Pola relasi kuasa negara dan kelompok tambang minyak ilegal (Studi kasus tambang minyak kecamatan Keluang kabupaten Musi Banyuasin Sumatera Selatan). *Ampera: A Research Journal on Politics and Islamic Civilization*, 1(2), 159-171. <https://doi.org/10.19109/ampera.v1i2.5558>.
- Windari, S. (2017). Kesultanan langkat di sumatera utara pada masa sultan abdul azis (1827-1927 M). *JUSPI*, 1(1), 29-47. <http://dx.doi.org/10.30829/j.v1i1.902>.
- Yuriska, A. P., & Wicaksono, D. A. (2015). Politik hukum pertambangan minyak bumi pada sumur tua sebagai strategi menuju ketahanan energi di indonesia. *Jurnal Rechts Vinding Media Pembinaan Hukum Nasional*, 4(2), 311-325. <http://dx.doi.org/10.33331/rechtsvinding.v4i2.26>.