



Triggers of Public Opinion on the Implementation of the Community Mining Permit Policy based on the Mineral and Coal Law in Pohuwato Regency

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Keywords:

Public Opinion,
People's Mining
Permit, Public Policy.

Abstract

The purpose of this study was to identify and analyze the triggers of public opinion on the implementation of the People's Mining Permit (IPR) policy based on Law Number 2 of 2025 concerning Mineral and Coal Mining (Minerba) in Pohuwato Regency. Through a qualitative approach with a descriptive method, it was found that there was minimal enthusiasm from traditional mining communities in managing IPR. The triggering factors were the difficulty of obtaining permits, the licensing system favored large investors compared to the economic needs of local people. This study recommends the need for an organizational forum that can accommodate and assist traditional mining communities.



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INTRODUCTION

Pohuwato Regency is one of the regions in Gorontalo Province. This regency has abundant natural resource potential, including mineral resources in the gold mining sector. Community mining activities in this region have been going on for a long time and have become an important part of the community's economic structure. However, the implementation of the Community Mining Permit (IPR) policy still faces various problems, including limited access to permits, conflicts over the conversion of agricultural land, environmental impacts, and poverty and unemployment. These problems trigger the formation of diverse public opinions, both supporting and rejecting the policy. For this reason, this study is needed to understand the dynamics of public opinion within the framework of the implementation of the IPR policy based on the Mineral and Coal Law, especially in the district known as Bumi Panua.

Viewed from the context of public policy, public opinion is often an indicator of the effectiveness and efficiency of policy implementation and measuring the success of the program. The Community Mining Permit (IPR) Policy itself is a form of legalization of mining activities by local communities which aims to improve welfare and reduce illegal mining activities. The Community Mining Permit (IPR) Policy is a legal instrument in regulating mining activities by local communities. IPR is a permit granted to individual Indonesian citizens or local community groups to carry out

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mining activities in people's mining areas (WPR) with limited area and technology. IPR and WPR refer to Law Number 2 of 2025 concerning the Fourth Amendment to Law Number 4 of 2009 concerning Mineral and Coal Mining. This law explains that the regulations related to the determination of WIUP for metal minerals or coal are given with priority to cooperatives, small and medium enterprises, and business entities owned by religious community organizations that carry out economic functions to improve the regional economy. In addition, the granting of WIUP for metal minerals can be used for research purposes of universities, BUMN, regional-owned enterprises, or private business entities by considering increasing access, increasing Regional Original Income (PAD), and educational services for the community and accreditation of universities.

In Pohuwato Regency, the implementation of the Permit and legislation has actually caused controversy, which is reflected in public opinion which tends to be negative. Various vertical and horizontal problems and conflicts occur. Therefore, it is important to understand in depth the triggering factors for the formation of these opinions as a basis for policy recommendations. These recommendations are expected to lead to the need for a mining community organization that is able to accommodate and accompany traditional miners so that they can live decently.

THEORETICAL BASIS

Public Opinion Theory

Public opinion tends to be resistive and critical when the public is not involved in the policy process (Koc-Michalska et al., 2020). This is because public opinion is part of the dynamics of participatory democracy that shows the public's response to certain issues that develop in the public space (Zaller, 1992). Currently, social media plays an important role in shaping public opinion. Public opinion is formed not only from objective facts, but also narratives, emotions, and the level of social involvement of the community towards an issue. The importance of collective emotions in shaping public opinion on policy issues, especially on environmental and mining issues (Weeks et al., 2017). Where public perception of environmental damage due to mining activities can trigger political pressure (Javeline, 2014). Thus, public opinion on environmental issues and mining policies is greatly influenced by collective emotions such as fear of environmental damage, frustration with the government, or hopes for economic improvement (Finkel et al., 2020).

Public Policy Theory

Dye (1992) explains that public policy is what the government chooses to do or not to do (Dye, 1992). In the context of IPR policy, public response is influenced by how the policy is formulated, implemented, and evaluated, and how much the public is involved in the process (Anderson, 2015). The government often fails to distinguish between artisanal mining and small-scale mining operated by corporations (Verbrugge & Besmanos, 2016). One of the main challenges in implementing small-scale mining policies is overlapping regulations, weak local government capacity, and the lack of synchronization of central and regional authorities. Where regulations for artisanal mining permits tend to benefit large capitalists who can meet administrative and technical requirements. On the other hand, local communities are often hampered by limited legal and technological literacy, leading to illegal mining practices (Hilson et al., 2020). In terms of poverty alleviation, decent work, and environmental protection, IPR policies that are not adaptive to local realities will fail to realize community welfare (Arezki et al., 2021; Towalu, 2022). Therefore, there is a need for an inclusive legalization approach, namely combining legal, economic, and social approaches in policy making to prevent marginalization of local communities (Özkaynak et al., 2021). Community participation in public policy is a pillar of participatory democracy. According to Arnstein (1969), community participation has levels ranging from manipulation to citizen control (Arnstein,

1969). Lack of participation can result in policies that are not inclusive and potentially rejected by the community. Political ecology explains the interaction between social, economic, and environmental factors in the context of natural resource utilization (Bebbington et al., 2017). In the case of IPR, conflict arises due to the imbalance between resource exploitation and socio-ecological sustainability.

METHOD

This study uses a descriptive qualitative approach with a case study method. Data collection techniques include in-depth interviews, direct observation, and documentation studies. Research informants consist of community leaders, traditional miners, environmental activists, and village/regional government officials. Data were analyzed using content analysis techniques to identify the main themes in public opinion related to IPR based on Law Number 2 of 2025 concerning the Fourth Amendment to Law Number 4 of 2009 concerning Mineral and Coal Mining.

RESULT AND DISCUSSION

From the research results, there are several public opinions that have developed in the traditional mining community. Opinions that view it positively and negatively. Positive opinions are of the view that when traditional mining communities have the Legality of People's Mining Permits (IPR), then:

1. There is an increase in Regional Original Income (PAD) where the local government has the opportunity to obtain income through taxes, levies, and fixed/production contributions.
2. Strengthening the Mining Database and Governance, with the ownership of IPR for traditional miners, it can enable the government to have a valid and accurate database on the location, number, and capacity of people's miners, thereby facilitating the mining area planning system; mitigating environmental and social risks; and reporting/evaluating mining sector policies.
3. Increasing Environmental Compliance and Control, with the existence of IPR, traditional miners are required to comply with regulations related to work safety and environmental management (UKL-UPL or SPPL). This provides a space for formal control and supervision by the government on environmental impacts, compared to illegal activities that are difficult to monitor.
4. Formal Employment Creation and Social Protection, where local and provincial governments can facilitate economic empowerment programs and technical training for licensed community miners. Legality also opens up opportunities for miners to obtain: access to financing (KUR/LPDB); Social and health security; Environmentally friendly technology training.
5. Reduction of Social and Political Conflict. Through the legality of IPR, conflicts between community miners and officials, large investors, and landowners can be reduced, which in the end can strengthen local social and political stability, which is an important prerequisite for a long-term investment climate.
6. The Government's Image as a Protector of the Local Economy. The central and regional governments will be considered to be on the side of the people's economy, especially in formalizing the informal sector which can contribute to public trust, government legitimacy, and bureaucratic integrity in managing natural resources.
7. Consistency with the Sustainable Development Goals (SDGs). Legalization of community mining supports several pillars of the SDGs, such as: Poverty alleviation (Goal 1); Decent work and economic growth (Goal 8); Responsible use of land and resources (Goal 12).

The Issue of Difficulty in Obtaining Permits

People's mining has long been a mainstay of the community's economy in various regions in Indonesia, including Pohuwato Regency, Gorontalo Province. Where strict regulations and the undistributed People's Mining Areas (WPR) are the main obstacles for the community to obtain legality through People's Mining Permits (IPR). This causes many mining activities to be carried out illegally, which then become the object of action by security forces. This situation has given rise to negative public opinion towards the government, which is considered not to side with the common people. The community considers that the licensing procedure is exclusive, complicated, and tends to benefit large mining corporations. This inequality encourages the emergence of horizontal and vertical social conflicts.

Most people complain about the long bureaucratic process and the lack of clear information regarding the management of IPR. This creates dependence on intermediaries (brokers) and increases the gap for corruption. On the other hand, there is a growing opinion among the community, especially traditional miners, that the regional and central governments do not provide sufficient legal space and convenience for people's mining activities. The general narrative that has developed is that the government is considered to be more accommodating to large companies holding IUPs than traditional miners. In addition, there is a lack of socialization and assistance in the licensing process, as well as the non-transparent WPR determination process. This condition has an impact on local security instability, decreased trust in the government, and triggered social conflict practices. The social conflicts that have emerged include: vertical conflicts between the community and the authorities and government, horizontal conflicts between groups of miners due to disputes over work locations, and structural conflicts with official mining companies over overlapping land claims.

Difficulty in obtaining IPR reflects structural inequality in access to natural resources. This inequality then triggers the formation of public opinion demanding distribution justice. Referring to public communication theory, this opinion is a form of articulation of disappointment with the elitist and non-participatory policy process. Most community leaders and traditional miners around the mining area said that the legal framework and permits for community mining tend to accommodate large companies more than local mining communities. This creates a dualism of legality, where community miners are often criminalized for not having a permit even though their activities are managing their own land which is the main source of livelihood for their families.

Limited access to mining legality, complicated licensing procedures, and corporate dominance have formed negative public perceptions of the government. This has led to the emergence of vertical and horizontal social conflicts. The recommendations of this study emphasize the importance of restructuring the Community Mining Area (WPR), simplifying licensing procedures, and strengthening social dialogue. Where the community develops the opinion that the regional and central governments are expected to provide sufficient legal space for community mining activities. The general narrative that has developed includes: the government is more accommodating to large companies holding IUPs, lack of socialization and assistance in the licensing process, non-transparent WPR determination process, and inequality in land ownership. This opinion is reinforced by the role of social media and local media which often highlight the regulation of illegal mining without providing solutions to legalization.

One of the main triggers for the emergence of negative public opinion towards the People's Mining Permit (IPR) policy in Pohuwato Regency is the difficulty of community access to obtain permits legally. Based on the results of interviews with local communities and traditional leaders, as well as the village government, it is known that many local miners have been active for years but do not have legality because the licensing procedures are long, complicated, and require high costs. Furthermore, traditional mining communities said that the IPR application process requires various technical and administrative documents, such as mine location maps, simple environmental impact

analyses, and letters of recommendation from various agencies, which are not easily accessible to village communities or small mining groups. In addition, the lack of socialization and technical assistance from the local government exacerbates this condition, so that people are more confident in taking shortcuts to play cat and mouse with enforcement officers. This condition is in line with the findings of Verbrugge & Besmanos (2020) and Hilson et al. (2021) which revealed that in many developing countries, including Indonesia, IPR regulations are designed in a top-down manner and do not take into account the administrative capabilities of local communities. As a result, only a few communities have managed to obtain official permits, while most remain in illegal status even though their activities support the local economy.

Although community mining activities have been carried out for generations in Pohuwato Regency, the number of traditional miners who have official Community Mining Permits (IPR) is very minimal. This phenomenon is caused by a number of structural, administrative, and social factors that hinder the legalization of their activities. This can be found from the statements of several traditional miners found, including:

1. **Complicated and Unfriendly Licensing Procedures.** IPR licensing regulations are regulated in the Minister of Energy and Mineral Resources Regulation No. 26 of 2018, which stipulates complex technical and administrative requirements, such as: Determination of community mining areas (WPR) by the local government, which are often not yet available; Area maps and coordinates of mining locations; Environmental studies (UKL-UPL or similar documents); Cross-agency recommendation letters (Forestry, Environment, etc.). This is what makes traditional miners often do not have sufficient technical or financial capacity to meet these requirements. In the end, they continue to operate even though they are outside the legal system because of the demands of fulfilling the family's economic needs.
2. **Suboptimal Determination of People's Mining Areas (WPR).** One of the main prerequisites for managing IPR is the determination of People's Mining Areas (WPR) by the local government. However, in Pohuwato, the determination of WPR often does not cover areas that have been worked by traditional mining communities. As a result, even though the community has managed the mine traditionally, they cannot manage IPR because the mining location is not recognized administratively.
3. **Absence of Technical Assistance and Socialization.** Many traditional miners do not know the procedures, stages, and institutions to go to to take care of permits. The local government is considered to have not been optimal in providing administrative assistance, technical training, or legal aid services. As a result, the community prefers to continue operating without a permit rather than face a confusing bureaucratic process.

CONCLUSION

Public opinion formed due to the difficulty of obtaining IPR in Pohuwato Regency is a reflection of the inequality in natural resource management. The negative public perception of the government is triggered by the complexity of bureaucracy, corporate dominance, and the absence of a participatory approach in determining WPR. This triggers social conflicts that disrupt regional stability. Therefore, there is a need for an organizational forum that can accommodate and assist traditional miners.

REFERENCE

- Anderson, J. E. (2015). *Public policymaking*.
Arezki, R., Fan, R. Y., & Nguyen, H. (2021). Technology adoption and the middle-income trap: Lessons from the Middle East and East Asia. *Review of Development Economics*, 25(3), 1711–1740.

- Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224.
- Bebbington, A., Abdulai, A., Hinfelaar, M., Humphreys Bebbington, D., & Sanborn, C. (2017). *Political settlements and the governance of extractive industry: A comparative analysis of the longue durée in Africa and Latin America*.
- Dye, T. R. (1992). Understanding public policy. (No Title).
- Finkel, E. J., Bail, C. A., Cikara, M., Ditto, P. H., Iyengar, S., Klar, S., Mason, L., McGrath, M. C., Nyhan, B., & Rand, D. G. (2020). Political sectarianism in America. *Science*, 370(6516), 533–536.
- Hilson, G., Sauerwein, T., & Owen, J. (2020). Large and artisanal scale mine development: The case for autonomous co-existence. *World Development*, 130, 104919.
- Javeline, D. (2014). The most important topic political scientists are not studying: adapting to climate change. *Perspectives on Politics*, 12(2), 420–434.
- Koc-Michalska, K., Bimber, B., Gomez, D., Jenkins, M., & Boulianne, S. (2020). Public beliefs about falsehoods in news. *The International Journal of Press/Politics*, 25(3), 447–468.
- Özkaynak, B., Rodriguez-Labajos, B., & Erus, B. (2021). Understanding activist perceptions of environmental justice success in mining resistance movements. *The Extractive Industries and Society*, 8(1), 413–422.
- Towalu, H. (2022). Implementation of Public Policy. *Journal Research of Social Science, Economics, and Management*, 2(1).
- Verbrugge, B., & Besmanos, B. (2016). Formalizing artisanal and small-scale mining: whither the workforce? *Resources Policy*, 47, 134–141.
- Weeks, B. E., Ardèvol-Abreu, A., & Gil de Zúñiga, H. (2017). Online influence? Social media use, opinion leadership, and political persuasion. *International Journal of Public Opinion Research*, 29(2), 214–239.
- Zaller, J. (1992). *The nature and origins of mass opinion*. Cambridge university press.