

The Decentralization Policy in the Local Autonomy of Conservation Forest in Malang City Through Partnership Pattern

^{1,*}Sularno, ²Praptining Sukowati, and ³Retno Anggraini

¹Lecturer on University of Technology, Surabaya of Indonesia

²Lecturer on Faculty of Social and Political Sciences, University of Merdeka, Malang of Indonesia

³Lecturer on Faculty of Engineering, University of Brawijaya, Malang of Indonesia

ABSTRACT

The conservation forest is established to stabilize and rehabilitate the critical land, to eliminate pollutant, and to create the urban ecosystem balance, covering environmental, social and cultural substances. The objective of research is to analyze the decentralization policy in the local autonomy of conservation forest in Malang City through partnership pattern. Research type is qualitative descriptive. Analysis technique is *policy paper* which is allowing the participant to develop decentralization and to empower the people in the management of conservation forest, either at national, regional and local levels. It is also allowing the participant to realize the green space in the urban area in retaining micro climate, improving esthetic value, and supplying water absorption, and creating the urban physical environment balance. The existence of policy model with partnership pattern develops a genuine community participation, which is considering the relationship between government and community as the mutual partnership.

KEYWORDS: decentralization policy, conservation forest, partnership.

INTRODUCTION

The development of conservation forest represents an urgent demand pressed onto the government and community. People are insisting a structure which is supporting the healthy, economic, and secured life, and also giving education about environment and conservation of natural resource. The development of urban forest is expected to realize the green space which is useful in retaining micro climate, improving esthetical value, and supplying water absorption, and creating the urban physical environment balance. In general, the objective of conservation forest is to stabilize and rehabilitate the critical land, to eliminate pollutant, and to create the urban ecosystem balance, covering environmental, social and cultural substances. It seems pursuant to the regulation of Minister of nForestry No.3/V/2004 as one technical guide of conduct based on Government Regulation No.3/2002 on Urban Forest. The development of urban forest must be accorded with biophysical condition, including technical aspect such as land, vegetative type, and technology; ecological aspect; harmonic aspect between human relation and urban nature environment, and economical condition in relative with cost, benefit, and socio-cultural.

According to Forest Law No.4/1999, it is mentioned that the conservation regulation is a full discretion of the central government. It is clearly defined that there is no decentralization at all in the conservation field despite many initiatives taken in the regency and community level which are useful to finalize the conservation regulation. Centralistic management is exacerbated by less transparent planning, regional ordering, protection and monitoring, and others by central government. There is low support from local government and community to the management of conservation area. In the perspective of Conservation Regulation No.5/1993, the word "conservation" is including Natural Sanctuary (natural reserve and wildlife reserve), Biosphere Reserve, and Natural Preservation Area (National Park, Grand Forest Park, and Natural Tourism Park). Managing these three sites is excluding the role of local government and community around the area. Community only is involved as the participant to be given education and training about conservation.

Since the local autonomy is implemented, main issue of the development of conservation area is the division of authority between central and local. Based on the regulation, the authority of conservation remains in the central government, but some initiatives related to the conservation at local level have not been accommodated by central government. The local potentials need to be understood because *de facto*, those with conservation function (and also those with other function such as production forest and sanctuary forest) are located in local administration. Conservation area is an integral part of local space. Therefore, the best management is closely related to the local development. The earlier determination of conservation area is not made with reliable data and information. Without justifiable authority, the communication between the interest of biodiversity in the conservation and the interest of community inside and outside the region is difficult by the local. The presence of local autonomy may lead to the different interest between central, local and community, thus causing prolonged conflict. Worse, it is not compensated by the willingness of the local to increase

*Corresponding Author: Sularno, University of Technology, Surabaya, East Java Province of Indonesia.
Email: ridho.syam@yahoo.co.id

conservation activity because the local imposes on the maximization of the use of natural resource for the local development. A problem is emerging at local level when the conservation area is managed by the central. In one side, the central government preserves the conservation area as what it is, but the local insists on applying “the development concept” to increase community welfare, and the Committee of Local Genuine Income plans to remove this area from the national forest scheme. Community around the area has sensed a right to enjoy the outcome of this area during decentralization period. A dysfunctional impact is occurred where the conservation policy results in the overlapping problems from the management of space order, the right of management between local government and community, illegal logging, area trespassing, and issues related with land appropriation.

MATERIALS AND METHODS

Research type is qualitative descriptive. Data are collected by searching for information about the current policy. The understanding of the management of conservation forest is supported by the analysis of legislation and policy. Data are not only obtained from formal sources, but also informal sources. Such data help the understanding of the implementation of legislation and policy by the government in the field. Data and the information may include the legislation, result of study, and field work of institution, as well as, mass media. One policy is examined against other policy. A set of dialog with other relevant parties are operated to get early accurate information about current policy, and to give the precious input for the author in exploring some ideas and opinions. The visit to the field is necessary to obtain the field perspective in empowering the result of research. The quality of result will always relying on early steps. The analysis is expected to produce an *advanced* policy review, and to open opportunity for stakeholders in discussing the analytical substance deeply and professionally (FGD). Analysis technique is managed by giving support for change or for the policymaking, which is then accelerating the decentralization policy and smoothing the community participation in the management of conservation area, protected area, and other area.

Early findings including legislation and policy are discussed with the analysis of legislation (legal notes) and related cases in the limited series of discussion by inviting some experts or parties involved within the management of conservation area in Malang City. From these discussions, a debate of the thought about policy and also the accuracy and depth of analysis result are developed, which is giving great contribution to the final product and the recommendation of the redefinition of policy and legislation related to the management of conservation area. In concern with Dissemination of Results, the analysis of policy should be distributed through workshop attended by stakeholders. Result of analysis is *policy paper* which is allowing the participant to develop decentralization and to empower the people in the management of conservation forest, either at national, regional and local levels.

RESULTS AND DISCUSSION

In general, a policy and regulation related to natural resource cannot be separated from the management of conservation area. The conservation area is a part of natural resource, and therefore, the policy and regulation of conservation area are mainly a part of policy and regulation of natural resource. Some policies are made by the government such as determining certain area as the exploited area and the protected area. However, it does not mean that the exploited area are those ready to be exploited arbitrarily for forest, mining, oil and gas, or marine resources, by annoying the supportability of environment, land degradation possibility, and rehabilitation measures. As the population grows, the economic and industrialization will develop. However, these will give great pressure on natural resource because the demand and interest onto natural resource will be higher. The reality story shows that the opening of the forest and the activity of mining and exploiting natural resource are not annually decreased, but actually greater. The exploited area can be threatened into extinction. The succession of the renewable natural resource takes a long time.

Threats are not only felt in the exploited area, but also in the protected or conservation area. It may be caused by population growth, direct deprivation, land conservation, excessive capture of certain species, or introduction of exotic species. In relation with forest conservation, the great threat is coming from annual forest fire. In 1997-1998, forest fire was burning 627,280 hectares of land. In 1983, the fire even damaged 3.6 millions hectares of land, in which 496,000 hectares were the protected or conservation area.

Many critics are given against the seriousness of government in managing the conservation area. Some policies and legislations are suspected to give legitimacy toward excessive exploitation of natural resource. The protection and conservation are not given equal priority. Therefore, it is assumed that the policies and legislations about the management of conservation area are just the supplement, and not playing significant role. The government always emphasizes the difficult features of the management of conservation area, such as the wide scope of conservation area and limited human resource and fund to manage this area. Therefore, the management of conservation area is stagnant. However, other fundamental issue is the strong ego at this sector, either inside the ministry with responsibility for the management of conservation area (The Ministry of Forest

and Plantation) and other ministry with the interest of exploiting conservation area. The other influential factors are the centralistic management and the less accommodation of community participation as the real and potential power in the field, and the weak law enforcement.

The government duty in the Forest Protection and Natural Conservation is formulating and implementing the policy in several fields such as forest protection, forest fire eradication, site conservation, and biodiversity, as well as natural tourism and environmental service. Forest protection may include the security of forest, the security of vegetative and wildlife, the management of workforce and structure for the forest protection and investigation. Forest Protection is operated to keep the forest, forest site, and its environment, such that the functions of protection, conservation, and production, can be obtained optimally and eternal. Forest protection has some benefits such as: (a) to prevent and limit the forest, forest site, and forest output from degradation caused by human, livestock, fire, natural disaster, pest or disease; (b) to maintain the right of state, community and individual over the forest, forest site, forest product, investment, and all devices related to forest management; (c) to alleviate forest fire issue, including developing the forest alarming system, the detection and evaluation of forest fire, the prevention and extinguish of forest fire, and the understanding of forest fire impact; (d) to facilitate the actions toward site conservation, including management of conservation area and the empowerment of community around the national park, tourism park, grand forest park, natural sanctuary, protected forest, and hunting park; and (e) to facilitate the actions toward biodiversity conservation such as the conservation of species and genetic, the conservation of essential ecosystem, the development of conservation agency, the breeding of wild vegetative and animal, and the ordering of wild vegetative and animal distribution.

Terms of Conservation Forest

The conservation of biological natural resource, as stated in Law No.5/1990, is the management of natural resource which is used wisely to produce sustainable stock to keep and to increase the quality of its diversity and value. It is aimed at realizing the biological natural resource and the ecosystem balance such that it supports the improvement of community welfare and human life quality. The term of Conservation Forest is defined as the forest site with certain characteristic and main function to preserve the diversity of vegetative and animal, and its ecosystem. Conservation forest consists of: (1) Natural Sanctuary Forest (KSA) including Natural Reserve (CA) and Wildlife Reserve (SM); (2) Natural Preservation Forest (KPA) including National Park (TN), Grand Forest Park (TAHURA), and Natural Tourism Park (TWA); and (3) Hunting Park (TB) [1].

Natural Sanctuary Forest (KSA) is a forest with certain characteristic and main function to preserve the diversity of vegetative and animal, and its ecosystem, as well as, functioned as the life supporting system. Natural Preservation Forest (KPA) is a forest with certain characteristic and main function to protect the life supporting system, to preserve the diversity of vegetative and animal, and to use the biological natural resource and its ecosystem based on conservation perspective. Each component of KSA and KPA is explained as follows. (1) Natural Reserve (CA) is a natural preservation site characterized by the presence of vegetative, animal and its ecosystem, or certain ecosystem, requiring for protection for the interest of science and culture, and natural development. (2) Wildlife Reserve (SM) is a natural preservation site characterized by the diversity of animal for interest of science and culture, and national identity. The wellbeing of animal can be increased by preserving the habitat. (3) National Park (TN) is a natural preservation site comprising to original ecosystem, managed by a zoning system for the interest of research, science, education, vegetative and animal cultivation, tourism, and recreation. The management of National Park Area is usually by the government. (4) Grand Forest Park (TAHURA) is a natural preservation site aimed as the collection of natural or not-natural vegetative and animal, either genuine species or not genuine species, for the interest of research, science, education, vegetative and animal cultivation, tourism, and recreation. The management of Grand Forest Park is by the government. (5) Natural Tourism Park (TWA) is a natural preservation site with main function as the tourism and natural recreation. The management of Natural Tourism Park is by the government. (6) Hunting Park (TB) is a forest site given status as the hunting tourism place.

Decentralization means giving greater power to the local. The form of decentralization may be the delivery of assignment, duty, authority, and responsibility. Decentralization policy allows the local for self-management. Indeed, decentralization is a tool to produce the good government, and decentralization is not the end itself. The management of natural resource and conservation area is still possible by the central government. However, the management under central government will rely on the good governance, the absence of nepotism, corruption, and collusion, and the availability of resource, either human resource or other resource, in term of quantity and quality. Other prerequisites are considered such as principles of equality, transparency, accountability, and community participation. In term of *de jure*, legal system in Indonesia complies with decentralization. The base cornerstone of the decentralization principle is Article 18 of Constitution, stating that: *the Indonesia regions are divided based on the big and small sizes, with the government order based on the regulation, but still emphasizing the assembly system of government and the right of privileging the local origin.*

However, the fact is that many governmental policies put the economic priority as the ultimate goal. Other sectors such as defence, social, technology, education, culture, and life environment are directed toward

the economic growth. The forest exploitation in Java and Madura is organized by the local. Outside Java and Madura, forest exploitation may be allowable for third party, but under requirement that the local does not have capability to exploit the forest. In such condition, the logging and the processing of the forest can involve third party by permission letter from Local Government. Related to forest protection, the local government determines a legislation of forest protection to prevent and to eradicate the forest degradation caused by human, animal, fire, natural resource, disease and pest. Government Regulation (PP) often precedes the decentralization policy for the affair of natural resource development. If the substance is ordered based on the natural resource exploitation, PP must firstly emphasize the protection function, and then followed by the production function. Based on the authority handover, decentralization is not only given for the duty of forest protection, but also for the exploitation. It is important to produce the balance between the right of the local government and the duty of forest protection.

Until the year 2002, the composition of conservation forest throughout Indonesia in the land and sea is explained in the following table:

Table 1 the Composition of Conservation Forest throughout Indonesia

Type of Conservation Forest	Land Conservation		Sea Conservation	
	Unit	Wide	Unit	Wide
Natural Reserve	169	2,683,898	8	211,555
Wildlife Reserve	52	3,526,343	3	65,220
Tourism Park	84	282,086	18	765,762
Hunting Park	14	225,993	-	-
National Park	35	11,291,754	6	3,680,936
Grand Forest Park	17	334,336	-	-
Total	371	18,344,410	35	4,723,474

The Decentralization Policy in the Local Autonomy of Conservation Forest in Malang City

Until now, the economic development is realized by the approach of huge capital, the centralization into some conglomerates, and the flow of the product to the central as the national economic centre. Local economy, including Malang City, and the economic of community around the area enriched by natural resource, however, are unfavourably apprehensive. The condition of life environment and natural resource are definitely bad. The policy of the management of life environment contains nine principles: (1) That the development of life environment should be functioned as the support of life ecosystem and the facility to realize the balance, harmonic and dynamic between ecology, socioeconomic, and socio culture systems, to produce sustainable national development; (2) That the development of life environment must concern with the increase of participation, social responsibility, and public social organization; (3) That the resource of land, sea and air should be managed and used for community welfare sustainability, and the supportability of the environment must be retained to preserve the life environment; (4) That the role of governmental agency and community participation are considered as important; (5) That the ecosystem of land, sea and air, should be improved to protect the function of ecosystem as the support of life system; (6) That the utility of ecosystem for the community around or inside it must be emphasized; (7) That the natural resource and life environment with degraded and distorted function must be rehabilitated by increasing community participation; (8) That sustainable development based-on environment is designed to produce a space order with harmonic relationship with demographic development, space use pattern, land use order, and the use order of water, sea and coast resource, and other natural resource, supported by the other socio cultural aspects to create a unity of harmonic and dynamic natural resource management and life environment; and (9) That the mutual bilateral, regional and international cooperation should be developed to protect life environment, technology shift, and others.

The above directions of the development of life environment and natural resource are showing that the increased awareness of the balance and harmonic of ecology, social, economic, and culture systems is a very fundamental issue. The ignorance of one direction of one system may influence other system. The development with only placing the economic system and function as the priority, but avoiding or abandoning the function of ecology, social and culture, will only result in the complex problem. Such problem may include ecosystem disorder, environmental pollution and social conflict. These three problems not only become threats for the future, but also have potential to the bigger problem. Therefore, the balance of four functions (ecology, social, economic and culture) must comply with other more operational policy devices, such as Regulation, Government Regulation, Order of Conduct, and institutional or program development.

Local Autonomy is implemented by giving authority to the local in proportion with the order, division, and utilization of national resource, under the perspective of the financial balance of central and local, the principle of democracy, and the attention to local diversity. In the Article 5, it is said that the Local Government has authority to manage the national resource responsibly to preserve the environment. The preservation is also including the management of conservation area. The preservation of natural resource must be sustainable

because the next generation should be benefited better natural resource. Therefore, the management of natural resource should be aimed at: (1) using or exploiting natural resource, and (2) protecting or conservation.

Centralized policy can deny the potential of local government, local or custom community, and long-term potential. It may also prohibit the sustainability and preservation of natural resource and conservation area. It is possibly worsened by the existing degradation rate and the activities threatening the conservation area, and issues causing the inefficiency of the management of conservation forest. The recent legislations and development policies of the government seem conceptualizing that the earth, water and substance beneath it are authorized by the state and used for the public welfare. However, it fails to develop public welfare. The most prominent failure is the translation of State Authorization (HMN) as if the natural resource is possessed absolutely by the State.

For instance, forest may be managed for forest entrepreneurship, but the right of citizen for the forest product is denied. It is the root of threat and conflict in managing the natural resource, including in the management of conservation area. The community is not given access and capability to determine the management of natural resource around them. In relative with the management of conservation area, HMN is translated as the right of state to possess the custom land or community land, which are previously stated as the protected area. It has occurred at some conservation area such as Haruku in Maluku, and National Park Bukit Tiga Puluh in Riau. In the case of Haruku, it is already given status as the protected forest by government, but it is violated by the mining activity. Until now, the conflict is still persistent between community against government in one side, and against company in other side. The presence of inconsistent policy, the use of less standard term, and the weak of law enforcement, and the strong sector ego, are indications of the *fundamental problems* in the policy of the management of natural resource. The problems are becoming stronger when the vision of the management of natural resource, including the vision of the management of conservation area, is absent. The gap is apparent between good conception in the policy and regulation, and the lack of concrete implementation. *Das sein* is not seen in the existing regulations. In contrast, many regulations are actually made inconsistent to support the exploitation at conservation area.

One reason of the conflict in the management of natural resource is the inequality of the allocation of natural resource. In other hand, centralistic management is harming the potential of local government to develop based on local demand. The right of community for managing the natural resource around them is made absent. Inequality in the distribution of natural resource product may be caused by repressive political system which is usually transferring local assets into central and thus giving less significant outcome to the local. Some provinces enriched by natural resource such as East Kalimantan, Aceh, Riau or Irian Jaya, are the poor with remote local development. Less surprisingly, the demands of the financial balance of central and local, the full autonomy, and the separation from the Republic of Indonesia are so obvious. The admission toward the right of custom community for natural resource is often marginalized by the government through the regulation package of natural resource. Institutionally, custom community has been erased by the Law No.5/1979 on Village Government, which is actually eradicating the custom government system such as Marga, Nagari, or other forms, and giving a path toward Village Government System.

The Policy of Conservation Forest in Partnership Pattern

It is difficult to measure how far the commitment of government is. It is so because it requires many idea of decentralization and the accommodation of community participation. The development of community participation in the management of conservation area, however, is given less serious attention by the government. Some regulations do not show the understanding of the government about the essence of community participation. Some articles of the regulations only describe the participation in term of indirect manner, as shown by phrase "... *thereto citizen is involved ..*", or "*the conservation of biological natural resource and its ecosystem is the responsible and duty of the government and community, and the government increases the conservation of biological natural resource and its ecosystem through the citizen by education and mentoring*" (Article 37 verse 2 Law No.5/1990).

Some regulations explaining community participation even indicate that community participation is not important. Community is only seen as a part with less understanding about the management of natural resource, including conservation. Therefore, community must be enlightened through education and mentoring. Nobody denies that the community is already acknowledging through generations about the conception of conservation and how to implement it. The accommodation of community participation is an imperative. Wide scope of conservation area, limited the managing institution, and less capable human resource, as well as limited fund, are urging the management of conservation area to involve community participation to ensure the well implemented management of conservation area.

Partnership pattern in the relationship between government and community is giving mutualism for all parties, either for government, community or conservation area itself. For the custom or local community, the participation in the management of conservation area is not merely seen as the duty, but starting from the motivation and sense of belonging, in which community is part of the forest or the conservation area. Some

factors are supporting the effectiveness of the management of conservation area by community: (1) the proximity of the community to the conservation area; (2) the presence of interest factors, such as history, social-religious, ecology, and economic; and (3) commitment and care (shown by NGO or environmentalist).

Current community participation is characterized by the closure system. If it is not, it is limited to the quasi-participation with less power to defend. However, community participation must be consistent and genuine. The community participation may give benefits for the management of natural resource (including conservation area) because the community itself lives around the patches of natural resource. For certain community, including custom community, forest has a religious content for them. The increasing community participation to preserve the conservation area is a great possibility. It can be allowed by giving access for the community into the natural resource [2].

The demand of local empowerment in the management of natural resource and the development of community participation are not new. Recent political realm, however, cannot give a space for both principles. New Order Regime systematically shrinks the local potential and the existence of community and local institution in the management of natural resource through some regulation packages of natural resource, or through Local Government Law. Indeed, development patron always emphasizes centralized approach and eliminates community participation, thus causing great gap of the development and revenue between central and local. Community participation in the management of conservation area is just simple definition of community participation. According to Canter [3], community participation is a sustainable two-way communication process to increase the understanding of community about the management of conservation area. The participation itself may be defined as the communication from the government to community about a policy (feed-forward information) and/or the communication from the community to government about the policy (feedback information). Cormick [4] distinguishes community participation in the decision making process by its nature. First is the consultative participation where the member of community has right of to be listened of their opinion or right of being informed. However, final decision is still in the hand of the officer of decision maker. Second is partnership participation where the community and the officer of decision maker are discussing problem, looking for solution, and making decision [5].

Community participation can improve the quality of governmental decision [3]. It can also reduce the possibility of conflict because the community is more acceptable to the decision. In consistent with this opinion, there are five other benefits of community participation. (1) It is a process of policy making because community as group has potential to be responsible for consequence of a policy consulted with them (right to consult). (2) It is a strategy where community participation ensures the acceptability of the governmental policy, thus the decision has more credibility. (3) It may be useful as the communication device of the government to serve the community in giving input and information into decision making, therefore resulting in responsive decision. (4) It may be important for the resolution of dispute or conflict by reducing it through consensus. The assumption behind consensus is that the exchange of opinion and view can increase the understanding and tolerance, and reduce the mistrust and biases.

To realize such community participation, the government must foster and empower the sense of responsibility among community, by: (1) giving mentoring, counselling, support, protection, service, technical aid, legal aid, education and training; (2) disseminating all information about space order to the community; (3) announcing the space order plan to the community; (4) respecting all community appropriations; (5) giving reliable indemnification to the community due to the distorted development despite its compliance with space order plan; (6) protecting the right of community to participate into planning, and to enjoy the use of facility and added value; and (7) recognizing the suggestion, opinion, and claim of the community to improve the quality of conservation forest.

Strategy and Operation of the Conservation Forest Policy in the Government of Malang City

To set the strategy and operation of the conservation forest policy in Malang City, it is required to understand the direction of policy and the strategy of space structure in Malang City. (1) Malang City Central is directed toward public square and around. It is so because many activities are centred toward public square and around, such as government, trade, and social facility with regional level. (2) Malang City in 2029 will be divided into six BWK, with the extension into 10 subdistricts. (3) Each BWK is grouped based on the proximity and equalization of function. Central and Sub-Central are established, and the connection of each centre is made by road network with Concentric Linear movement pattern. However, all activities still have been centred into a point, Public Square and around. (4) West and East Ring Roads are planned to support the accessibility into central and sub-central from each BWK, and the access into downtown. Based on this policy, the Space Structure of Malang City is illustrated as in Figure 1.

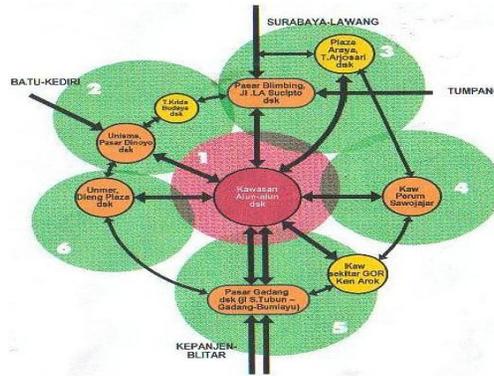


Figure1. Space Structure of Malang City
 Source: Bapeko, Malang City

Concerning with Law No.26 of 2007, urban strategic area is a site where the space is ordered as the priority because it gives very important effect on the urban scope in term of economic, social, culture and/or environment. In consistent to the strategic area type as stated in this Law, the policy and the strategy concerning with strategic area in Malang City are complying with the Law and the development pattern of Malang City. The policy and the strategy of strategic area in Malang City are as follows. (1) Strategic area of Malang City involves those important in the interest for defence and security (military area), economic growth (trade and service area, higher education, tourism, industry), and social and culture (cultural reserve and historical building). (2) Strategic area is aimed to facilitate the growth of the area. For instance, economic sector may improve the local income. Strategic area can also be developed based on the similarity of character and the proximity of each unit. (3) Strategic area is managed to be influential on the space order of the around, the other activity in the similar field, and the other activity in the other field. Strategic area is built for community welfare. This area becomes one with regional scale service rate, such that it is important to be maintained and developed [4].

Space structure is ordered by managing the urban hierarchy efficiently. Result of the analysis on regional structure of Malang City indicates the Central and Sub-Central parts of the City. These parts are formed by the development and growth of the city. Some factors are affecting it, such as (1) land physical conditions such as topography, river, geology, land ability and others, (2) number and development of population, (3) population activity, either in volume or human, (4) the completeness of facility, utility, and structure of urban infrastructure. The presence of urban hierarchy means that there is interdependence between a city and other. The city with higher hierarchy will have greater influence in scope, and may affect the city with lower hierarchy. Based on the development of facility and infrastructure in Malang City, the position of Downtown in public square and around has been shifted into Klojen. Therefore, the change of city central occurs from IIIA to II as the service centre of Malang City. The establishment of the centre of Malang City, therefore, is requiring improvement and realization. Moreover, the hierarchy of Central and Sub-Central in Malang City may be described as follows: (1) Central part of Malang City remains in Klojen Subdistrict, which is in Public Square and around. (2) The Central part of BWK of Central Malang (Downtown) is located at Klojen Subdistrict, which is in Public Square and around. (3) The Central part of BWK in North Malang is in Lowokwaru Subdistrict, which is in University of Islam Malang (Unisma), Dinoyo Market, and around. (4) The Central part of BWK in Northeast Malang entails some parts of Blimbing Subdistrict, which is in Blimbing Market and around. (5) The Central part of BWK in East Malang involves some parts of Kedungkandang Subdistrict, which is in Sawojajar Housing and around. (6) The Central part of BWK of Southeast Malang remains in some parts of Sukun Subdistrict and around, and of Kedungkandang Subdistrict, which is precisely in Gadang Market and around. (7) The Central part of BWK in West Malang is located at some parts of Sukun Subdistrict, which is in University of Merdeka, Plaza Dieng, and around.

Considering the policy and the strategy of space order of Malang City, therefore, the policy and the strategy of the development of conservation forest must involve the preservation of life environment and the prevention of life environment degradation. The criteria and the pattern of the management of conservation forest are made based on the following requirement. (1) Conservation forest area for river border is explained as follows. The embanked river border line is at least 5 meters wide in the outer part of embankment. The not-embanked river border is determined based on the technical and socio economical concerns of the authorized officer. The borderline of the embanked and not-embanked rivers in the urban and along the road is determined by the authorized officer. (2) Conservation forest area for the urban green open space is ordered as follows. The target of the urban green open space, or urban forest, may include housing, industry, river bank, coast, and road

in the urban area. The forest area inside the urban area or around the urban area may be minimally 0.25 Ha. Vegetative type for urban forest is annual trees, not ornamental plants or herbal. It can include foreign or exotic species, or original and domestic species. (3) The protection area must be available as cultural reserve. It represents a space where the highly cultural valued buildings, prehistoric sites, and geologically formed area, are located with high benefit for the development of science.

Steps to be taken

The development of conservation forest policy in Malang City is bottom-up. It is based on local characteristic and coming from the interest of local government and the community. The central government is the facilitator. The development of policy and regulation must be oriented toward the democratic process, which is transparent, accessible by the community, and giving opportunity of community participation in the planning, implementation, monitoring and evaluation stages. This process must consider the principles of accountability. The future policies and regulations are expected to accommodate the interest of around community. It should be also comprehensive, integrated consistent, and not overlapped either for the vertical or horizontal policy and regulation.

Following up the agenda to reform the policy and regulation about the management of natural resource, therefore, the management of conservation area of Malang City needs to consider the following steps: (1) Agreeing on the fundamental vision of the management of conservation forest (equal to the management of natural resource); (2) Socializing the importance of conservation forest and the management of conservation area to any parties. The policy should be balanced with the community access to the natural resource area, including conservation forest; (3) Inventorying all policies related to the management of conservation forest, which can be distributed to sector departments, government, and other stakeholders (the researcher, NGO, Consultant, Expert, and Local Institution, and also the government of Malang City), thus increasing the concern and attention rate to the issue and the management of conservation area, and the understanding of issue in the field; (4) Ensuring that the policy is comprehensive, integrated, and not overlap, with sense of bottom-up; (5) Empowering the regulation of conservation forest by imposing a policy of the management of conservation forest to open space for the substantive participation of the government of Malang City, and to recognize the role of Central Government as the facilitator; (6) Ensuring that genuine community participation, information access, the recognition and guarantee to the right of local community, the admission and reward for local institution, and the participation of this institution in the management of conservation area, and also legal enforcement, are considered; (7) Determining the standard terminology in relation with the protected area or the conservation area; (8) Ascertaining that the policy is made transparent, defending citizen interest, and consistently operated, and not just *political statement*, but must be manifested into *legal statement* with legal responsibility; (9) Reorganizing and revitalizing the organization in the management of conservation forest, by emphasizing the management in the hand of the government of Malang City. Therefore, the change of system and form of organization is made possible by modification and perfection; (10) Mapping some conflicts and conflict potentials in some conservation forest area, either conflict of policy, conflict of organization, or conflict of programs or implementations, as the background and root of every problem, potential and cause of conflict. Conflict resolution is peacefully made by searching for the solutions acceptable to all parties and supporting the protection of conservation area; (10) Working on the legal enforcement against the actor who is intentionally damaging the conservation forest area, through collusion, corruption and nepotism by making a policy against the objective of the management of conservation area; (11) Establishing new regulation which is involving principles of the management of conservation forest, such as equality, democratic, community welfare, management by local, the clear and strict order, and community participation. The regulation must still emphasize on conservation aspect. Other fundamental aspects are (12) the harmonic and synchronization of policies and regulations about the management of natural resource, (13) the authority of the management of natural resource in the hand of the government of Malang City, followed by the coordination between departments, central-local, and between locals, (14) the integration of regulation/policy to be adopted/ratified to support the existence, function, and quality of conservation area in the policy and regulation of the management of natural resource, especially the management of conservation forest area.

CONCLUSION

Research concludes that: (1) the centralization policy may harm the local potentials in the management of conservation area. If the potential and location of conservation area is considered, the local should have ability in the management of conservation area effectively because the conservation area must locate in the urban and regency; (2) the decentralization of the management of conservation area without the decentralization in the management of natural resource is only becoming burden for the local government because the conservation work cannot be separated from the resource support, including human and fund; (3) the approach for genuine community participation is conducted by taking account the mutual partnership of the government and community; (4) the willingness to manage conservation area not only just as the duty, but also supported by

the motivation and potential to defend and to improve the quality of life environment and conservation area; and (5) the lack of decentralization and community participation will inhibit the effective management of conservation area. In one side, it threatens the function and existence of conservation area as the supporting element for ecosystem quality. In other side, it threatens the custom community and local community to be susceptible to centralistic policy which is causing conflict between community and government.

SUGGESTION

Suggestions may be given as follows: (1) In the future, the participation in the policy and regulation about the management of conservation area must be developed for the partnership where the community is involved within the process and final decision making. (2) Community participation in the management of forest must not be only having agreement, or in narrow participation in which the management of conservation area remains only as the realization of social aspect. It is more than that, in which the management of production forest as the realization of the right of community to obtain the individual or communal rights which were previously ignored. (3) The essence of decentralization is the increased community welfare in the local. If the decentralization is option, either in the management of natural resource and the management of conservation area, therefore, the marginalization and rejection practices against rights of community must be abandoned. (4) The local government should be open, developing democratic governmental pattern, and putting the law above the power. Therefore, community participation must be accepted and developed by the government, and more decentralist management of conservation area should be ensured.

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